

Canandaigua Town Board Meeting Agenda for January 9, 2023 Organizational Meeting

6:00PM – Onnalinda Room

- Call To Order and Pledge of Allegiance
 - Pledge led by Supervisor Jared Simpson
- Roll Call
 - Town Clerk Confirmation meeting was properly advertised

- Circulation of Written Communications – Attachment1
 - Email and petition from Horizons Assisted Living residents requesting a bus stop at their location – December 14, 2022
 - Email from a resident thanking a highway employee for exceptional service – December 16, 2022
- Privilege of the Floor
- Priority Business

ZOOM MEETING INFORMATION:

Please register in advance of this meeting using the following link:

https://us02web.zoom.us/join/ztYqc-GtqTotH92PBu15q7_hCirh9kEvA6VV

After registering, you will receive a confirmation email containing information about joining the meeting.

Please be aware all participants will be muted upon entry to the meeting and will only be able to speak after being acknowledged. Participants should use the “raise hand” feature or the chat box to request to speak. No screen sharing will be permitted. All meetings are recorded. Individuals will be removed from the meeting for inappropriate behavior.

TOWN SUPERVISOR APPOINTMENTS

1. Pursuant to Arts and Cultural Affairs Law, §57.07, the Canandaigua Town Supervisor does hereby designate _____ as the Town Historian for a term expiring on December 31, 2023.
2. Pursuant to Town Law, §103(2), the Canandaigua Town Supervisor does hereby designate _____ as the Budget Officer for the Town of Canandaigua for a term expiring on December 31, 2023.
3. Pursuant to Town Law, §103(2), the Canandaigua Town Supervisor does hereby designate _____ as the Deputy Town Supervisor for the Town of Canandaigua for a term expiring on December 31, 2023.

ACKNOWLEDGING TOWN CLERK APPOINTMENTS

1. Pursuant to Town Law, §30(10), Mrs. Rebeca Doyle as the Deputy Town Clerk and Deputy Registrar of Vital Statistics;
2. Pursuant to Town Law, §30(10), Mrs. Heather Cross as the 2nd Deputy Town Clerk.

ACKNOWLEDGING HIGHWAY SUPERINTENDENT APPOINTMENT

1. Pursuant to Town Law, §32(2), the Canandaigua Town Highway Superintendent does hereby designate Mr. Chris Lietz as the Deputy Highway Superintendent for a term expiring on December 31, 2023.

➤ Presentations

Continued Public Hearings:

- None

New Public Hearings:

- None

➤ Reports of Town Officials and Department Heads

➤ Reports of Committees, Boards and Commissions (as needed)

A. Town Board Committees

- a. Finance
- b. Planning & Public Works
- c. Ordinance

B. Planning Board

C. Zoning Board of Appeals

D. Environmental Conservation Board

E. Economic Development

F. Citizens' Implementation Committee

G. Parks & Recreation Committee

H. Special Events Committee

I. Agriculture Committee

J. Cemetery Committee

K. Project Teams

- a. Affordable Housing & Transportation Project Team
- b. Conservation Easement Project Team
- c. Gateway Signs Project Team
- d. Local History Project Team
- e. Tree Team

➤ Privilege of the Floor

➤ Resolutions and Motions

Continued Resolutions:

- None

New Resolutions:

ORGANIZATIONAL MEETING RESOLUTIONS

- Resolution No. 2023 – 001: 2023 Town Board Meeting Schedule
- Resolution No. 2023 – 002: Designation of 2023 Holidays
- Resolution No. 2023 – 003: Designation of Office Depository
- Resolution No. 2023 – 004: Designation of Official Newspaper & Ratio Station
- Resolution No. 2023 – 005: Payment of Bills Following Town Board Audit
- Resolution No. 2023 – 006: Payment of Bills Prior to Audit
- Resolution No. 2023 – 007: Establishment of Petty Cash Accounts
- Resolution No. 2023 – 008: 2023 Bid Purchases
- Resolution No. 2023 – 009: Mercy Flight Emergency Service Provider 2023 Payment Authorization
- Resolution No. 2023 – 010: Canandaigua Emergency Squad Emergency Service Provider 2023 Payment Authorization
- Resolution No. 2023 – 011: Ontario County Historical Society 2023 Payment Authorization
- Resolution No. 2023 – 012: Pine Bank Cemetery Board 2023 Payment Authorization
- Resolution No. 2023 – 013: Canandaigua Local Development Corporation, Inc. 2023 Payment Authorization
- Resolution No. 2023 – 014: Canandaigua Town Board Appointments
- Resolution No. 2023 – 015: Assignment of Certain Responsibilities to the Town Manager
- Resolution No. 2023 – 016: Designation of Professional Service Providers
- Resolution No. 2023 – 017: Countersigning Checks
- Resolution No. 2023 – 018: Use of Facsimile Signature
- Resolution No. 2023 – 019: Re-Adoption and Acknowledgement of Certain Town Policies and Procedures
- Resolution No. 2023 – 020: Temporary Assignment of Justices in the 7th Judicial District
- Resolution No. 2023 – 021: Handicap Perking Permit Issuing Agent
- Resolution No. 2023 – 022: Appointment of Town Court Clerk
- Resolution No. 2023 – 023: Adoption of the 2023 Fee Schedule

FINANCE

- Resolution No. 2023 – 024: Establishing 2023 Employee Wage Rates and Payment

PLANNING / PUBLIC WORKS

- Resolution No. 2023 – 025: Accepting 284 Agreement for the Expenditure of 2023 Agreement for the Expenditure of 2023 Highway Moneys

ORDINANCE

- None

ECONOMIC DEVELOPMENT / GENERAL

- Resolution No. 2023 – 026: Designation of Association of Town Annual Meeting Delegate

- Resolution No. 2023 – 027: Public Hearing to Sponsor and Administer the Restore NY Communities Initiative Municipal Grant Program
- Resolution No. 2023 – 028: Accepting Hiking/Biking Trail Easement Related to 5600 Thomas Road and Directing Town Manager to Sign Said Easement
- Resolution No. 2023 – 029: Acceptance of Stormwater Control Facilities Maintenance Agreement for Frontenac Holding LLC

RESOLUTION NO. 2023 – 001: 2023 TOWN BOARD MEETING SCHEDULE

BE IT RESOLVED:

1. As required by Town Law, §62 and §63, regular town board meetings will, throughout the year 2023, be held at 6pm on the 3rd Monday of each month. The following exceptions apply:
 - a. **January meeting (January 9, 2023);**
 - b. **Special January meeting (January 30, 2023);**
 - c. **February meeting (February 13, 2023);**
 - d. **June meeting (June 12, 2023)**
2. Special workshops may be called as required and allowed by Town Law, as ordered by the Town Supervisor, or when requested by two or more Town Board members;
3. Meetings will be held in the Town Hall, Lower-Level Meeting room at the Town Hall located at 5440 Route 5&20 West, Canandaigua, NY (Town Law § 62) and/or via Zoom videoconferencing available to anyone wishing to participate;
4. The Town Clerk is hereby directed to post the Town Board meeting schedule on the official bulletin and on the Town's website and to provide copies of the schedule to the local media and the Clerk of the Ontario County Board of Supervisors.

RESOLUTION NO. 2023 – 002: DESIGNATION OF 2023 HOLIDAYS

BE IT RESOLVED:

1. During the year 2023, the following holidays will be observed, and all Town Offices and the Waste and Recycling Center will be closed:
 - New Year's Day, Sunday, January 1 (observed Monday, January 2)
 - Martin Luther King Jr. Day, Monday, January 16
 - President's Day, Monday, February 20
 - Memorial Day, Monday, May 29
 - Juneteenth, Monday, June 19
 - Independence Day, Tuesday, July 4
 - Labor Day, Monday, September 4
 - Columbus Day, Monday, October 9
 - Veteran's Day, Saturday, November 11 (observed Friday, November 10)

Thanksgiving Day, Thursday, November 23
Day after Thanksgiving, Friday, November 24
Christmas Day, Monday, December 25

2. The Town Clerk is hereby directed to post the Town Board Holiday Schedule and Closings on the official bulletin and on the Town's website and to provide copies of the schedule to the local media and the Clerk of the Ontario County Board of Supervisors.

RESOLUTION NO. 2023 – 003: DESIGNATION OF OFFICE DEPOSITORY

BE IT RESOLVED:

Pursuant to Town Law, §64(1), the Canandaigua Town Board hereby designates the Canandaigua National Bank and Trust Co. or their successors; Lyons National Bank or their successors; American Deposit or their successors, and NYCLASS or their successors; as the depositories in which all Town Officers shall deposit all Town Monies.

RESOLUTION NO. 2023 – 004: DESIGNATION OF OFFICIAL NEWSPAPER & RADIO STATION

BE IT RESOLVED:

1. As allowed by Town Law §64(11), the Canandaigua Daily Messenger is hereby designated as the Official Town of Canandaigua newspaper;
2. Radio Station WISY (102.3 FM) is hereby designated as the official radio station for the Town of Canandaigua;
3. The Town Clerk shall provide a copy of this resolution to the Daily Messenger and Radio Station WISY.

RESOLUTION NO. 2023 - 005: PAYMENT OF BILLS FOLLOWING TOWN BOARD AUDIT

BE IT RESOLVED:

As allowed by Town Law §125, the Canandaigua Town Board hereby authorizes the Town Supervisor, Town Manager, or Town Clerk to make payments of all bills after audit & approval by the majority of the Town Board and issuance of a warrant by the Town Clerk.

RESOLUTION NO. 2023 – 006: PAYMENT OF BILLS PRIOR TO AUDIT

BE IT RESOLVED:

As allowed by Town Law §118(2), the Canandaigua Town Board hereby authorizes the Town Supervisor, Town Manager, or Town Clerk to make payments of all bills without prior audit for public utility services such as gas, electric, water, sewer, fuel oil, telephone services as well as for postage, payment of bills to avoid late charges, medical payments such as HRA and HSA,

freight and express charges, surety releases; bills requiring a timely payment for service when delay would otherwise hinder construction of a town approved project; or letter of credit releases after approval by the Town of Canandaigua Planning Board.

RESOLUTION NO. 2023 – 007: ESTABLISHMENT OF PETTY CASH ACCOUNTS

BE IT RESOLVED:

1. Pursuant to Town Law, §64 (1-a), the Canandaigua Town Board does hereby establish petty cash accounts for the following officers in the amounts so indicated:

Town Clerk	\$450.00
Receiver of Taxes	\$300.00
Parks and Recreation Coordinator or Town Manager (for Parks)	Any amount up to \$150

2. Fiscal responsibility for petty cash accounts is the responsibility of the town officer.

RESOLUTION NO. 2023 – 008: 2023 BID PURCHASES

BE IT RESOLVED:

1. The Canandaigua Town Board hereby authorizes the purchase of material and equipment from the Ontario County Material Bids, Monroe County Material Bids, Livingston County Material Bids, NYS OGS, Sourcewell, Monroe County BOCES, Onondaga County truck bid, Chautauqua County truck bid and piggyback from any municipality in New York State.

RESOLUTION NO. 2023 – 009: MERCY FLIGHT EMERGENCY SERVICE PROVIDER 2023 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. Mercy Flight Central provides valuable emergency services to our community, emergency response, and public awareness and education relating to emergency response, to the taxpayers of the Town of Canandaigua; and
2. In exchange for providing these services, the Town of Canandaigua will make a payment of \$4,000 to Mercy Flight Central to be paid from the 2023 Budget Account# AA.100.4540.400.00000; and
3. The Town Manager shall take the necessary steps to make this payment; and
4. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Manager to include with the payment to Mercy Flight Central.

RESOLUTION NO. 2023 – 010: CANANDAIGUA EMERGENCY SQUAD EMERGENCY SERVICE PROVIDER 2023 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Canandaigua Emergency Squad provides valuable emergency services to our community, emergency response, and public awareness and education relating to emergency response, to the taxpayers of the Town of Canandaigua; and
2. The Town of Canandaigua Town Board has previously adopted Resolution No. 2022-220 accepting a formal, renewable agreement with Canandaigua Emergency Squad for certain emergency services; and
3. The Town Board of the Town of Canandaigua hereby approves a one-year extension to the current agreement with Canandaigua Emergency Squad expiring December 31, 2023 and authorizes the Town Manager to execute said agreement and directs the Town Clerk to provide a copy of said agreement to the Canandaigua Emergency Squad; and
4. In exchange for providing these services, the Town of Canandaigua will make a payment of \$5,000 to the Canandaigua Emergency Squad to be paid from the 2023 Budget Account# AA.100.4540.400.00000; and
5. The Town Manager shall take the necessary steps to make this payment; and
6. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Manager to include with the payment to Canandaigua Emergency Squad.

Attachment 2

RESOLUTION NO. 2023 – 011: ONTARIO COUNTY HISTORICAL SOCIETY 2023 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Ontario County Historical Society provides services to our community and public awareness and education relating to the historical significance of our community and the Town of Canandaigua the taxpayers of the Town of Canandaigua; and
2. In exchange for providing these services, the Canandaigua Town Board hereby approves a one-time payment of \$ 10,000.00 to the Ontario County Historical Society to be paid from the 2023 Budget Account No. AA.100.7450.410.00000; and
3. The Town Manager shall take the necessary steps to make this payment; and
4. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Manager to include with the payment to the Ontario County Historical Society.

Attachment 3

RESOLUTION NO. 2023 – 012: PINE BANK CEMETERY BOARD 2023 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Town of Canandaigua Town Board has previously adopted Resolution No. 2022-093 accepting a formal, renewable agreement with the Pine Bank Cemetery Board for certain services and maintenance at Pine Bank Cemetery; and

2. The Town Board of the Town of Canandaigua hereby approves a one-year extension to the current agreement with Pine Bank Cemetery Board expiring December 31, 2023 and authorizes the Town Manager to execute said agreement and directs Town Clerk to provide a copy of said agreement to the Pine Bank Cemetery Board; and
3. In exchange for providing these services, the Canandaigua Town Board hereby approves a one-time payment of \$ 5,000.00 to the Pine Bank Cemetery Board to be paid from the 2023 Budget Account No. AA100.8810.400; and
4. The Town Manager shall take the necessary steps to make this payment; and
5. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Manager to include with the payment to the Pine Bank Cemetery Board.

Attachment 4

**RESOLUTION NO. 2023 – 013: CANANDAIGUA LOCAL DEVELOPMENT CORPORATION, INC.
2023 PAYMENT AUTHORIZATION**

BE IT RESOLVED:

1. The Town of Canandaigua and the City of Canandaigua have entered into a memorandum of understanding to provide financial support for three years of the Canandaigua Local Development Corporation (LDC) at a rate of \$25,000.00 each (2022, 2023, and 2024); and
2. The Canandaigua Town Board hereby approves of payment of \$25,000.00 to the Canandaigua Local Development Corporation (LDC) to be paid from the 2023 Budget Account No. AA.100.6989.400.00000; and
3. The Town Manager shall take the necessary steps to make this payment; and
Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Manager to include with the payment to the Canandaigua LDC.

RESOLUTION NO. 2023 – 014: CANANDAIGUA TOWN BOARD APPOINTMENTS

BE IT RESOLVED:

1. Pursuant to Town Law, §64, the Canandaigua Town Board hereby creates the following Town Board Committees for a one-year term expiring on December 31, 2023:

<u>Committee</u>	<u>Topics covered:</u>	<u>Committee Chair</u>	<u>Citizen Representative(s)</u>	<u>Employee Liaison(s)</u>
Finance	Financial Review, Long and Short-Term Financial Planning, Revenue and Expenditure Reporting			
Planning & Public Works	Planning, Strategic Planning Development, Public			

	Works, Transportation			
Ordinance	Town Code updates, Zoning, Complete Streets			

2. Pursuant to Town Law, §64, the Canandaigua Town Board hereby creates the following Citizen Advisory Committees for a one-year term expiring on December 31, 2023:

<u>Committee</u>	<u>Committee Chair</u>	<u>Citizen Representative</u>	<u>Employee Liaison</u>
Citizens' Implementation Committee			
Special Events Committee			
Economic Development			

3. Pursuant to Town Law, §64, §267, §271, §116, the Canandaigua Town Board hereby appoints/reappoints the following individuals to boards and committees as identified below:

<u>Name</u>	<u>Board/Committee</u>	<u>New Term Expiration</u>
Mark Tolbert	Planning Board	12/31/2027
**Vacant (Alternate)	Planning Board	12/31/2025
Shannon Chevier	Zoning Board of Appeals	12/31/2025
Bob Hilliard	Zoning Board of Appeals	12/31/2027
**Vacant (Alternate)	Zoning Board of Appeals	12/31/2024
Scott Kesel	Board of Assessment Review	09/30/2027
**Vacant	Environmental Conservation Board	12/31/2027
**Vacant	Agricultural Advisory Committee	12/31/2023
Tim Stryker	Agricultural Advisory Committee	12/31/2026
Ray Henry	Agricultural Advisory Committee	12/31/2027
Gary Jones	Agricultural Advisory Committee	12/31/2027
Fernando Soberon	Agricultural Advisory Committee	12/31/2027
Karen DeMay	Cemetery Committee	12/31/2027

4. Pursuant to Town Law, §267, §271, §116, and §4121 the Canandaigua Town Board hereby makes the following appointments for a one-year term expiring on December 31, 2023:

Planning Board Chairperson – Mr. Charles Oyler

Zoning Board of Appeals Chairperson – Mr. Carl Sahler

Environmental Conservation Board Facilitator – Ms. Adeline Rudolph

Parks and Recreation Committee Chairperson – Mr. Mark MacNeil
Agriculture Advisory Committee Chairperson – Mr. Bob DiCarlo
Town Registrar of Vital Statistics – Mrs. Jean Chrisman

RESOLUTION NO. 2022 – 015: ASSIGNMENT OF CERTAIN RESPONSIBILITIES TO THE TOWN MANAGER

WHEREAS, the Town Manager serves the residents of the Town of Canandaigua, and the Town Board as the chief administrative officer and shall have such powers and duties in accordance with Town Code §69, NYS Town Law §58, or as otherwise enacted by resolution or policy of the Town Board of the Town of Canandaigua; and

WHEREAS, the Town Board wishes to assign specific responsibilities to the Town Manager; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes and delegates to the Town Manager powers and duties of day-to-day administration, including personnel officer, and supervision of all town and special district facilities and employees (excluding elected officials and their appointees) consistent with and in furtherance of any and all state and federal laws applicable thereto and with any and all local laws; and

BE IT FURTHER RESOLVED, the purpose of this provision is to allow the Town to function between Town Board meetings, and by this delegation the Town Board does not abdicate to the Town Manager or surrender to him the board's statutory responsibilities; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Manager to sign any and all documents relating to day-to-day administration of appointed personnel, personnel management, and personnel records; and shall only offer new employment or terminate employment after first receiving direction from the Town Board; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Manager to engage the Town of Canandaigua's approved: Town Attorney, Town Engineer, fiscal advisors, human resources, insurance representative(s), payroll consultant(s), contract provider(s), State and/or local agencies, and staff in any matters the Town Manager may deem required, and then to update the Town Board on those actions when appropriate or requested, as possible or at the next scheduled meeting; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Manager to review all practices, procedures, contracts, policies, procedures, and to bring recommendations for efficiency improvements through amendments to such provisions to the Town Board; and

BE IT FURTHER RESOLVED, the Town Board appoints the Town Manager as the Grant Administrator, and authorizes the Town Manager to execute all documents regarding administration of grants on behalf of the Town of Canandaigua for a term ending December 31, 2023; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Manager to make budgetary transfers or adjustments in any amount less than \$5,000.00 between accounts or funds provided the Town Manager informs the Town Board of the adjustment or entry at the next regularly scheduled meeting; and

BE IT FURTHER RESOLVED, the Town Board authorizes and directs the Town Manager to execute the collection of administrative fees commonly referred to as 'chargebacks' in keeping with Town Code Chapter 111; and

BE IT FURTHER RESOLVED, the Town Board appoints the Town Manager as the MWBE/MWBO Officer for the Town of Canandaigua for a term ending December 31, 2023; and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Town Manager.

RESOLUTION NO. 2023 – 016: DESIGNATION OF PROFESSIONAL SERVICE PROVIDERS

BE IT RESOLVED:

1. Upon the approval of a mutually acceptable contract or service agreement, the Canandaigua Town Board hereby authorizes the Town Manager to execute agreements for the following professional service providers:

BPD, Inc.	Bond Counsel
Law Offices of Christian M. Nadler	Town Attorney / Planning and Zoning
MRB Group, P.C.	Engineering Services
USA Payroll	Payroll Services

RESOLUTION NO. 2023 – 017: COUNTERSIGNING CHECKS

BE IT RESOLVED:

1. Pursuant to Town Law, §§29(3), 30(9); 34(1), the Canandaigua Town Board hereby requires any check issued for an amount equal to or greater than \$5,000 to be signed by two Town officials consisting of the Town Supervisor or the Town Manager or the Town Clerk; and
2. The Town Clerk shall furnish a copy of this resolution to those employees designated as Town Supervisor, Town Manager, and Town Clerk.

RESOLUTION NO. 2023 – 018: USE OF FACSIMILE SIGNATURE

BE IT RESOLVED:

1. Pursuant to Town Law, §29 (3), the Canandaigua Town Board does hereby authorize the Town Manager or his designee to use a facsimile signature of the Town Supervisor, Town Manager, or Town Clerk for the payment of bills previously approved by the Town Board; and

2. With the prior written authorization of the Town Supervisor, Town Manager, or Town Clerk, a facsimile signature may be utilized on payroll checks; and
3. The Town Clerk shall furnish a copy of this resolution to the Town Manager.

RESOLUTION NO. 2023 – 019: RE-ADOPTION AND ACKNOWLEDGEMENT OF CERTAIN TOWN POLICIES AND PROCEDURES

BE IT RESOLVED:

1. Pursuant to General Municipal Law (§104, §806, §64), the Canandaigua Town Board does hereby reapprove, authorize, and acknowledge the following Town of Canandaigua Policies and Procedures:
 - **Town of Canandaigua ADA Grievance Policy**
 - **Town of Canandaigua Budget Development Policy**
 - **Town of Canandaigua Cell Phone Stipend Policy**
 - **Town of Canandaigua Complete Streets Policy**
 - **Town of Canandaigua Controlled Substance and Alcohol Testing Policy**
 - **Town of Canandaigua Credit Card and Credit Account Policy and Procedure**
 - **Town of Canandaigua Policy and Procedure for Accepting Public Credit Card Payments**
 - **Town of Canandaigua Energy Benchmarking Policy**
 - **Town of Canandaigua Expenditures and Funding of the Open Space Reserve Fund Policy**
 - **Town of Canandaigua Fair Housing Plan**
 - **Town of Canandaigua Fixed Asset Inventory and Management Policy**
 - **Town of Canandaigua Fund Balance Policy**
 - **Town of Canandaigua Information Technology & Data Breach Notification Policy**
 - **Town of Canandaigua Investment Policy**
 - **Town of Canandaigua Procurement Policy**
 - **Town of Canandaigua Public Employer Health Emergency Plan**
 - **Town of Canandaigua Sexual Harassment Policy**
 - **Town of Canandaigua Town Board Rules of Procedure**
 - **Town of Canandaigua Town Board Remote Participation Policy**
 - **Town of Canandaigua Travel and Conference Policy**
 - **Town of Canandaigua Vehicle Replacement Policy**
 - **Town of Canandaigua Water District Policy**
 - **Town of Canandaigua Wire Transfers and Online Banking Policy**
 - **Town of Canandaigua Year End Policy and Procedure**
2. Directs the Town Clerk to post and maintain the most recently approved policies in the designated folder on the shared (m) drive and can also be found on the Town's [website](#); and
3. Directs the Town Clerk and Town Manager to maintain copies of the "Administrative Manual: Town of Canandaigua Policies" for reference as may be required; and

4. Directs the Town Manager to administer the implementation of the above policies.

RESOLUTION NO. 2023 – 020: TEMPORARY ASSIGNMENT OF JUSTICES IN THE 7TH JUDICIAL DISTRICT

WHEREAS, towns and villages within the Seventh Judicial District for more than twenty years have consented to the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and

WHEREAS, said assignment procedures administered by the Unified Court Systems have been very successful in streamlining this process when necessary; and

WHEREAS, the Unified Court System Seventh Judicial District is again requesting the consent of the town/villages within this District to the temporary assignment of its justices to provide in other town/village courts within the District as the need arises during the year 2023; and

RESOLVED, that the Canandaigua Town Board does hereby consent to take part in the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Unified Court System Seventh Judicial District, Town Justice David Prull and Town Justice Walter Jones.

RESOLUTION NO. 2023 – 021: HANDICAP PARKING PERMIT ISSUING AGENT

BE IT RESOLVED:

1. Pursuant to Vehicle and Traffic Law, §1203-a (1), the Canandaigua Town Board does hereby designate the Town Clerk and Deputy Town Clerks as the Town of Canandaigua handicap parking permit issuing agents; and
2. The Town Clerk shall post this designation and information on how to obtain a handicap parking permit on the Town's website.

RESOLUTION NO. 2023 – 022: APPOINTMENT OF TOWN COURT CLERK

RESOLVED, pursuant to Town Law, §20(1)(a)(b), with the consent of Town Justice Prull and Town Justice Jones, the Town Board of the Town of Canandaigua does hereby designate Mrs. Kristen Bartolotta as Court Clerk.

RESOLUTION NO. 2023 – 023: ADOPTION OF THE 2023 FEE SCHEDULE

WHEREAS, the Town Manager, Town Clerk, Town Highway and Water Superintendent have provided an updated fee schedule for the Town of Canandaigua for the year 2023; and

RESOLVED, the Town Board has determined that the fees identified in the 2023 Fee Schedule are reasonable and hereby adopts it effective January 9, 2023.

Attachment 5

RESOLUTION NO. 2023 – 024: ESTABLISHING 2023 EMPLOYEE WAGE RATES AND PAYMENT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) needs to set hourly wages for employees of the Town of Canandaigua for 2023; and

WHEREAS, the Town Board has adopted the employee wages and frequency of payment as noted below per the Town of Canandaigua adopted 2023 budget:

Name	Position	2023 Rate	Wage Calculated	Frequency
SR	Administrative Aide	\$26.00	Hourly	Bi-weekly
KS	Finance Clerk II, PT	\$32.60	Hourly	Bi-weekly
HC	Deputy Town Clerk	\$22.00	Hourly	Bi-weekly
RD	Deputy Town Clerk	\$25.00	Hourly	Bi-weekly
CS	Clerk	\$19.33	Hourly	Bi-weekly
AH	Clerk, P/T	\$19.00	Hourly	Bi-weekly
AL	Clerk to the Town Justice, PT	\$20.00	Hourly	Bi-weekly
AC	Parks Maintenance Assistant	\$24.04	Hourly	Bi-weekly
SM	Laborer, F/T	\$20.00	Hourly	Bi-weekly
	Laborer, F/T	\$19.00	Hourly	Bi-weekly
JW	Laborer, P/T	\$21.18	Hourly	Bi-weekly
	Laborer, Seasonal (4)	\$16.00-\$18.28	Hourly	Bi-weekly
	Park Rangers (5)	\$15.50	Hourly	Bi-weekly
	Recreation Attendant (5)	\$14.50	Hourly	Bi-weekly
	Senior Lifeguard	\$20.00	Hourly	Bi-weekly
	Lifeguard	\$18.00	Hourly	Bi-weekly
TM	Zoning Inspector, P/T	\$21.97	Hourly	Bi-weekly
MR	Deputy Assessor	\$24.72	Hourly	Bi-weekly
	PB Stenographer	\$16.50	Hourly	Bi-weekly
KB	ECB Stenographer	\$16.50	Hourly	Bi-weekly
RB	Code Enforcement Officer, P/T	\$22.30	Hourly	Bi-weekly
CA	Office Specialist I	\$22.00	Hourly	Bi-weekly
	Highway Clerk, PT	\$18.00	Hourly	Bi-weekly
BA	Laborer	\$15.45	Hourly	Bi-weekly

SR	Laborer	\$15.45	Hourly	Bi-weekly
CF	Transfer Station Operator	\$17.00	Hourly	Bi-weekly
CS	Transfer Station Operator	\$15.45	Hourly	Bi-weekly
KB	Seasonal MEO	\$28.90	Hourly	Bi-weekly
JB	Heavy Equipment Mechanic	\$31.45	Hourly	Bi-weekly
CL	Working Supervisor	\$31.45	Hourly	Bi-weekly
TS	Working Supervisor	\$31.45	Hourly	Bi-weekly
LT	Working Supervisor	\$31.45	Hourly	Bi-weekly
KM	MEO IV	\$29.96	Hourly	Bi-weekly
WB	MEO	\$28.90	Hourly	Bi-weekly
JC	MEO	\$28.90	Hourly	Bi-weekly
RK	MEO	\$28.90	Hourly	Bi-weekly
DL	MEO	\$28.90	Hourly	Bi-weekly
AM	MEO	\$28.90	Hourly	Bi-weekly
KP	MEO	\$28.90	Hourly	Bi-weekly
SR	MEO	\$28.90	Hourly	Bi-weekly
BV	MEO	\$28.90	Hourly	Bi-weekly
TW	MEO	\$28.90	Hourly	Bi-weekly
TW	MEO	\$28.90	Hourly	Bi-weekly
SW	MEO	\$26.01	Hourly	Bi-weekly
RF	MEO, Light	\$24.72	Hourly	Bi-weekly
MB	Water Maintenance Assistant	\$29.96	Hourly	Bi-weekly
JN	Water Maintenance Assistant	\$25.47	Hourly	Bi-weekly
RW	Water Maintenance Assistant	\$26.96	Hourly	Bi-weekly

;and

NOW THEREFORE BE IT RESOLVED, the Town Board does hereby set the above chart as the pay rate for the listed positions for 2023; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Town Manager and the Human Resources & Payroll Coordinator; and

BE IT FINALLY RESOLVED, the Town Board authorizes the Town Manager to execute the necessary documents to implement these changes.

RESOLUTION NO. 2023 – 025: ACCEPTING 284 AGREEMENT FOR THE EXPENDITURE OF 2023 HIGHWAY MONEYS

WHEREAS, the Canandaigua Town Board and Town Highway Superintendent have proposed an agreement for the expenditure of 2023 highway repair and improvement funds pursuant to Section 284 of New York State Highway Laws; and

WHEREAS, the total amount to be spent on highway repairs and improvements is \$1,651,633.00 and the proposed uses include sidewalks on Canandaigua-Farmington Townline Road, surface treatments

and asphalt shoulder repairs on various roads, reconstruction of Silvernail Drive, asphalt overlay on Goff, Seneca Point, and Deuel Roads, stormwater culvert repairs, and concrete repairs; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby accepts the 2023 284 Agreement for the Expenditure of Highway Moneys and directs the Town Clerk to retain one copy of the executed agreement and to forward a second copy to the Ontario County Highway Superintendent.

Attachment 6

RESOLUTION NO. 2023 – 026: DESIGNATION OF ASSOCIATION OF TOWN ANNUAL MEETING DELEGATE

WHEREAS, as a member of the Association of Towns the Town of Canandaigua is requested to appoint a delegate who will be attending the annual meeting in New York City February 19 through February 22, 2023; and

WHEREAS, Supervisor Jared Simpson will be attending the annual meeting / conference in New York City; and

WHEREAS, Supervisor Simpson has stated that he is willing to be the Town of Canandaigua delegate at the annual meeting to be held on Wednesday, February 22, 2023; and

NOW, THEREFORE, BE IT RESOLVED, Town Board of the Town of Canandaigua hereby appoints Supervisor Jared Simpson as the Town of Canandaigua's delegate at the Association of Town's annual meeting to be held on Wednesday, February 22, 2023; and

BE IT FURTHER RESOLVED, the Canandaigua Town Board directs Town Clerk Jean Chrisman to complete and submit the Certificate of Designation to the Association of Towns and provide a copy of such paperwork to Supervisor Simpson.

RESOLUTION NO. 2023 – 027: PUBLIC HEARING TO SPONSOR AND ADMINISTER THE RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM APPLICATION

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is eligible for grant funding under Round 7 of the Restore New York Communities Initiative (herein after referred to as "Restore NY") funding on behalf of Edgemere Development; and

WHEREAS, on January 9, 2023, the Town Board of the Town of Canandaigua held a public hearing to obtain public input at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing to obtain public input; and

WHEREAS, the Town Board has selected the proposal from Edgemere Development to be submitted to Empire State Development Corporation (herein after referred to as ESDC); and

WHEREAS, Edgemere Development is proposing to redevelop a vacant parcel in Uptown Canandaigua, Tax Map # 70.11-1-30.000, 0000 Parkside Drive, Canandaigua, New York 14424 (south side of Parkside Drive, zoned Form-Based Code, FBC), to create forty-eight (48) new permanent housing units affordable to households earning at or below 30%, 50%, and 70A% of Area Median Income; and

WHEREAS, this project is consistent with the goals of the Town of Canandaigua's land use plans, the proposed financing is appropriate for the project and the project will facilitate effective and efficient use of existing and future public resources to promote both economic development along with the goal of providing more affordable housing options for current and future residents; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby supports and will sponsor an application at Tax Map # 70.11-1-30.000, 0000 Parkside Drive, Canandaigua, New York 14424, for Restore NY Funding and will administer the grant in accordance with all applicable rules and regulations established by ESDC; and

BE IT FURTHER RESOLVED, that the Town Manager is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application and a copy of the resolution will be provided to the Town Manager, Town Planner, Edgemere Development.

Attachment 7

RESOLUTION NO. 2023 – 028: ACCEPTING HIKING / BIKING TRAIL EASEMENT RELATED TO 5600 THOMAS ROAD AND DIRECTING TOWN MANAGER TO SIGN SAID EASEMENT

WHEREAS, the Town of Canandaigua Planning Board on December 10, 2019, required the owners of 5600 Thomas Road (TM# 69.00-1-10.122) to dedicate a Hiking / Biking Trail Easement to the Town of Canandaigua for a purpose of establishing a hiking / biking trail right-of-way for the use of the general public (whether by pedestrian traffic, by devices intended to assist the disabled, by human powered vehicles or by animals; and

WHEREAS, the property owners of the above-referenced parcels signed the prepared the Easement for the Town of Canandaigua; and

WHEREAS, the Town Engineer of the Town of Canandaigua has recommended that the Town Board accept the Easement; and

WHEREAS, the Town Attorney of the Town of Canandaigua has recommended that the Town Board accept the Easement; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby accepts the a Hiking / Biking Trail Easement as shown on the site plan drawn by Grove Engineering and signed by the Planning Board Chairman on February 12, 2020; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Manager to execute the Easement; and

BE IT FINALLY RESOLVED, that the Canandaigua Town Board directs the Town Clerk to file said Easement at the Ontario County Clerk's Office.

Attachment 8

**RESOLUTION NO. 2023 – 029: ACCEPTANCE OF STORMWATER CONTROL FACILITIES
MAINTENANCE AGREEMENT FOR FRONTENAC HOLDING LLC**

WHEREAS, the Town of Canandaigua and Frontenac Holding LLC wish to enter into a Stormwater Control Facilities Maintenance Agreement to provide for the long term maintenance and continuation of permanent stormwater control measures as detailed in plans titled "Site Plan, Boat Display Expansion, FLX Marine," as prepared by Thornton Engineering LLP and signed by the Town Planning Board Chairman on April 13, 2022; and

WHEREAS, the Town of Canandaigua as an MS4 is required to obtain stormwater control facilities maintenance agreements on new projects located within the Town of Canandaigua; and

WHEREAS, the Town and the property owner desire that the permanent stormwater control measures be constructed, as detailed on the approved project plans, and thereafter be maintained, cleaned, repaired, replaced, and continued in perpetuity by the property owner (St. James Townhomes Inc) in order to ensure optimum performance of the components; and

WHEREAS, the property owner (Frontenac Holding LLC) shall be responsible for all expenses related to the maintenance of the stormwater control measures; and

WHEREAS, a copy of the Stormwater Control Facilities Maintenance Agreement presented to the Town Board for consideration and is available for review on the Town's website and is on file with the Town Clerk's office; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua accepts that the Stormwater Control Facilities Maintenance Agreement between the Town of Canandaigua and Frontenac Holding LLC; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to sign the Stormwater Control Facilities Maintenance Agreement; and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to file such Maintenance Agreement at the Ontario County Clerk's office.

Attachment 9

Approval of the following Town Board Meeting Minutes:
December 19, 2022

➤ Payment of the Bills

Abstract Claim Fund Totals presented by Town Clerk

Voucher Summary Report for Town Board signatures

(By signing, Town Board members represent they have reviewed the purchases for compliance with the Town's approved policies & approve of the prepared Voucher Summary Report and the attached invoices)

Utility Abstract dated 12/29/22 totaling \$ 24,158.53

General Fund	\$ 2,011.00
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Water Districts	\$ 22,147.53
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Medical Abstract dated 01/03/23 totaling \$ 77,404.53

General Fund	\$ 35,960.20
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Highway Fund	\$ 34,673.22
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Water Districts	\$ 6,771.11
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Town Board Abstract dated 01/09/23 totaling \$ 217,746.17

General Fund	\$ 177,742.28
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Highway Fund	\$ 33,693.31
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Water Districts	\$ 6,310.58
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➤ Other Business

➤ Privilege of the Floor

➤ Executive Session, as requested

- *Request by Town Clerk to enter into Executive Session relating to the employment history of a particular individual including the Town Clerk, the Town Manager, and Town Attorney.*

➤ Adjournment

ATTACHMENT 1

Communications

Sarah Reynolds

From: Doug Finch
Sent: Monday, December 19, 2022 9:55 AM
To: Sarah Reynolds
Subject: FW: Bus
Attachments: residents.pdf

For communication binder

Douglas E. Finch, Town Manager

Town of Canandaigua
5440 Route 5&20W
Canandaigua, NY 14424
Phone: (585)337-4728

From: Bob Palumbo <Bob.Palumbo@CanandaiguaNewYork.gov>
Sent: Wednesday, December 14, 2022 10:49 PM
To: Maguire, Bonnie <bmaguire@myrts.com>; Jared Simpson <jsimpson@townofcanandaigua.org>; Doug Finch <dfinch@townofcanandaigua.org>
Subject: Fw: Bus

FYI bus stop request from Horizons.

Bob Palumbo, Mayor
City of Canandaigua
585 764 8768

From: Amy Shuler <ashuler@horizonsalp.com>
Sent: Wednesday, December 14, 2022 3:16 PM
To: Bob Palumbo <Bob.Palumbo@CanandaiguaNewYork.gov>
Subject: Bus

CAUTION: This email originated from outside of the City of Canandaigua organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Amy Shuler and I am the Administrator of Horizons (Assisted Living Adult Home)

The residents living here, would like a bus stop here as many don't drive anymore, don't have funds for taxi to get to stores, banks, doctor appointments including to the VA. We have tried in past to get a stop here with no luck. It could even be a day or two a week. It wouldn't have to be every day. Could you please help me assist them in their request. They are active seniors and many who are veterans. I have attached a signature sheet they did 😊

Thank you for your time reading our letter

Amy

This is a petition from our residents
at Horizons of Canandaigua to
receive transportation from RTS
to local businesses, parks and
entertainment.

This transportation would greatly
add to our quality of life and
or help us to be more connected
to our community.

1. Ana Gloria Opening
2. Carol Waver
3. Sue Daly
Ann Page

4. ~~Diane Chisholm~~

Mark Chappell

Margaret Kibler

Mary Eldinger

~~Eileen Balzer~~

John J. Widmer

Jeanette Dealone

Jessamine Pettit

Robert Baird

Joyce Cohen

Eva Elizabeth Wood

William A. Luyke

Charles V. Willard VET

Eleanor Ann Kettle

Rosa Simmons

Jay Rapp

Patricia J. Nourse (BJ)

Sally Kovacs

Randy A. Olsen

and Cullis

Wes Jones

Ally Jones

Harry Muller

Live ~~offspring~~

Tom Hebean

John Beebe

VET

VET

VET

VET

Craig Manager VET

R. L. Kopp VET

Sharon L. Anton

Shirley Kelly

Nancy Henderson

Cynthia Starnett

Theresa Huck

~~Stella Marie Starnett~~

Ann Page

Kathy DeLoach

Sarah Reynolds

From: Jim Fletcher
Sent: Friday, December 16, 2022 8:59 AM
To: Sarah Reynolds
Cc: Doug Finch
Subject: FW: Great Service!

Sarah
As Doug says for the communication binder please.
James Fletcher
Highway and Water Superintendent
Town of Canandaigua
585-394-3300

-----Original Message-----

From: Rich Malec <marksgeneva@gmail.com>
Sent: Friday, December 16, 2022 8:12 AM
To: Jim Fletcher <jfletcher@townofcanandaigua.org>
Subject: Great Service!

Mr Fletcher,

I wanted to let you know about one of the snowplow drivers. I'm not sure his name, but he was plowing on Whitecliff Dr. yesterday. I'm so thankful for him because he took his valuable time to stop and come to my door to have a conversation about my son's friend's truck, that was parked in the road. He was nothing short of professional, humble, polite, friendly, patient, and understanding.

It's too often that communicating can cause such stress. He could have been the complete opposite of all of those characteristics that I mentioned above. He could have been a jerk. But he wasn't, and I truly appreciate him for it.

If people chose to be more respectful, patient, and understanding with each other, like him, we would live in a much better world.

Please let him know that I truly do appreciate him.

Thank you!

Rich Malec
5199 Whitecliff Dr.
585-576-7324

ATTACHMENT 2

**2023 Agreement Between the Town of Canandaigua
and Canandaigua Emergency Squad**

This Agreement, made on January 9, 2023, between the **Town of Canandaigua** (herein after referred to as “Town”) located at 5440 Route 5 & 2, Canandaigua, NY, and the **Canandaigua Emergency Squad** (herein after referred to as “CES”) located at 233 N. Pearl Street, Canandaigua, NY.

In consideration of the amount of Five Thousand Dollars (\$5,000), to be paid to the Canandaigua Emergency Squad, CES agrees to provide services to the benefit of the residents of the Town of Canandaigua, for the year 2023. Such services shall specifically include providing timely and quality emergency medical services to all people in the Town and increasing public awareness and education relating to emergency response services.

In addition to these services, CES also agrees to provide:

- At least one CPR class free of charge for residents of the Town.
- At least one Stop The Bleed class free of charge for residents of the Town.
- At least one ambulance and appropriate staff at each Town festival.
- At least one first aid, AED, and CPR training and education class to all employees of the Town, charging only the price of a certification card.

On or before June 1, CES shall provide the Town Board of the Town of Canandaigua with an annual report of activities and services provided for the previous year.

This agreement may be renewed annually on January 1st of succeeding years by mutual consent of the agreeing parties.

TOWN OF CANADAIGUA:

CANANDAIGUA EMERGENCY SQUAD:

Doug Finch, Town Manager

Matthew Sproul, Chief

ATTACHMENT 3

Agreement Between the Ontario County Historical Society and the Town of Canandaigua

Dear Town of Canandaigua,

This will acknowledge our request regarding the Town of Canandaigua's FY 2023 budget. We appreciate your support of the Historical Society and your dedication to history.

The Historical Society continues to hold an abundance of artifacts, photographs and ephemera pertaining to the town's history. We also continue to grow our collection so that we can share the stories of Canandaiguans and Ontario County residents in the future.

Our current exhibit "Fibers of Our Lives: From Practical Craft to Decorative Art" highlights several stories from Canandaigua and the surrounding area. It has allowed people to gather and remember the town as it once was and for what it is today. Additionally, our partnership with Ontario County Arts Council has allowed us to interact with town residents and town spaces more often.

The Historical Society is pleased to have played an active role in the town's History Committee and looks forward to working on new projects with the parks department.

This active role and these events include:

- Offering exhibits and programs that highlight the history of the town at no cost
- Write articles for the town newsletter
- Our director, curator, and volunteers assist the history team with their cemetery project and now the historic building survey
- Attendance at meetings such as the planning meeting
- Plan to work with the Parks Department to create a remote exhibit space at Onanda Park for our 2023 Recreation exhibit. This will include conversations about how to bring more attention to the buildings and the space as a whole. We hope to hold a series of meetings to discuss this project throughout the year.
- The director and volunteers continue to be willing and excited to work with the town on projects similar to the town maps project in 2018, floats for parades, and special days to celebrate the town and its citizens.

In 2023, among other Canandaigua town matters, the Historical Society's exhibit and programming theme will be Recreation. We hope to highlight many stories from the town's past and use them to create new programming for our residents. An exhibit and a variety of public programming is being planned.

With these activities and level of involvement in the town's activities we would like to respectfully request a continuation of the town's \$10,000 level of support in the 2023 budget.


If you have any questions or concerns, please reach out.

Best,

Cody Grabhorn
Executive Director
Ontario County Historical Society
55 North Main Street
Canandaigua, NY 14424

Agreement Between the Ontario County Historical Society and the Town of Canandaigua

This agreement is made between the Town of Canandaigua and the Ontario County Historical Society for the described activities and services during the calendar year 2023.

 Date 10/25/22

Cody Grabhorn
Executive Director
Ontario County Historical Society

 Date 11.21.22

Douglas E. Finch
Town Manager
Town of Canandaigua

per Res # 2022-277

ATTACHMENT 4

**2023 Agreement Between the Town of Canandaigua
and Pine Bank Cemetery Board**

This Agreement, made on January 9, 2023, between the **Town of Canandaigua** (herein after referred to as “Town”) located at 5440 Route 5 & 2, Canandaigua, NY, and the **Pine Bank Cemetery Board** (herein after referred to as “Cemetery Board”) located at 5583 Wells Curtice Rd, Canandaigua, NY.

In consideration of the amount of Five Thousand Dollars (\$5,000), to be paid to the Pine Bank Cemetery Board, the Cemetery Board agrees to provide service and maintenance to the benefit of residents of the Town of Canandaigua, for the year 2023. Such service and maintenance shall specifically include preservation of green space and lawn care, preservation of historically significant gravesites, the offering of plots for purchase by Town residents, cleaning and repair of cemetery headstones, and participation in the Cheshire Memorial Day event by members of the Cemetery Board.

In addition to service and maintenance, the Pine Bank Cemetery Board also agrees to provide assistance to the Town Historian for ongoing research and to residents of the Town of Canandaigua seeking historic information regarding Pine Bank Cemetery.

On or before June 1, the Pine Bank Cemetery Board shall provide a copy of their Annual Report to the Town Board of the Town of Canandaigua.

This agreement may be renewed annually on January 1st of succeeding years by mutual consent of the agreeing parties.

TOWN OF CANANDAIGUA:

PINE BANK CEMETERY BOARD:

Doug Finch, Town Manager

Sharon Hook, President

ATTACHMENT 5

Town of Canandaigua
DRAFT -- 2023 Fee Schedule -- DRAFT
 (Effective _____, 2023)

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Town Board, have been paid in full. Accepted forms of payment are: cash, check, or credit card (Visa, MasterCard, and Discover).

CABIN / PAVILION / LODGE / HALL RENTALS:

- All lakeside cabins will be rented weekly when reservations are made prior to May 1 (Saturday 3pm to Saturday 10am).
- There is a two-night minimum for lakeside cabin rentals made May 1 through October 31.
- Upland cabins can be rented at any time for a two-night stay during the rental season.
- Upland Cabins are available April 15 to October 31
- Lakeside Cabins are available April 1 to October 31
- Onanda Park Parking Fees are in effect Memorial Day Weekend through Labor Day
- King Hall is available April 15 to October 31
- Gorham Lodge, Crouch Hall, Outhouse Park Hall, West Lake Road Schoolhouse, and all pavilions are available year-round
- Babcock Hall is available Memorial Day weekend through Labor Day
- The cost for a multi-day cabin reservation shall not exceed the cost to rent a cabin for one week.
- All rentals must be paid in full within 1 week of the request otherwise the reservation will be cancelled.
- To qualify for Town resident rates, a Town resident must make the reservation and be the primary user.
- The resident must call the Town Clerk's office to obtain the discount code before making the online reservation.
- Public school districts will be charged the Town resident rate for all rentals.
- Cancellations made a minimum of 2 weeks prior to the arrival date will be eligible for a refund minus a \$50 cancellation fee. The Town Clerk has the authority to refund the entire reservation amount for extenuating circumstances.
- There are no refunds for pavilion cancellations.
- Cancellations made a minimum of 2 weeks prior to the arrival date for a multiple facility reservation, will be eligible for a refund minus a \$50 cancellation fee for each canceled facility.
- Cancellations due to extenuating circumstances, may be rescheduled within the same calendar year without penalty.

Onanda Park Cabins: Weekly Rentals (2 weeks max)	Town Resident	Non-Resident
<u>Upland Cabins:</u> Litahni, Oawensa, Chowat, Gowana, Chule, Kiniks, Adsila	\$175	\$285
<u>Lakeside Cabins:</u> Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$200	\$360
Abode (3)	\$300	\$485
Hayowentha (12)	\$425	\$660

Onanda Park Cabins: Daily Rentals (3pm to 10am)		
<u>Upland Cabins:</u> Litahni, Oawensa, Chowat, Gowana, Chule Kiniks, Adsila	\$55	\$90
<u>Lakeside Cabins:</u> Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$70	\$100
Onanda Park Cabins: Weekly Rentals (2 weeks max)	Town Resident	Non-Resident
Abode (3)	\$75	\$115
Hayowentha (12)	\$100	\$165
Onanda Park Cabins: Off-Season Weekly Rates (Lakeside Cabins Only – April 1 to Thursday before Memorial Day Weekend and Tuesday after Labor Day to October 31)		
<u>Lakeside Cabins:</u> Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$150	\$310
Abode (3)	\$175	\$360
Hayowentha (12)	\$375	\$610
Onanda Park Cabins: Off-Season Daily Rates (2 Night Minimum) (Lakeside Cabins Only – April 1 to Thursday before Memorial Day Weekend and Tuesday after Labor Day to October 31)		
<u>Lakeside Cabins:</u> Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$55	\$85
Abode (3)	\$60	\$100
Hayowentha (12)	\$85	\$150
Onanda Park Parking Fees:	Season Passes	\$35 \$65
	Weekday per Vehicle	\$5 \$5
	Weekends and Holidays per Vehicle	\$7 \$7
	Daily Walk-In per Person (excluding field trips of schools located in Canandaigua)	\$1 \$1
	Water Trail (access from water by non-motorized craft)	\$0 \$0
Gorham Lodge	Overnight Rental (3pm to 10am)	\$320 \$425
	Full Day Rental (9am to 9pm)	\$250 \$325
	½ Day Rental (9am to 3pm OR 3pm to 9pm)	\$130 \$175

		Town Resident	Non- Resident
Crouch Hall @ Onanda Park	9am to 9pm	\$150	\$225
Babcock Hall @ Onanda Park		\$50	\$50
(3 hours parties: 10am to 1pm or 2pm to 5pm)			
King Hall @ Onanda Park	9am to 9pm	\$130	\$200
Pavilions @ Onanda Park (9am – 9pm)	Rotary	\$75	\$110
	Holden	\$55	\$85
	Upland Pavilions (31, 38, or 42)	\$50	\$75
Bundles of Wood @ Onanda Park (when available)		\$5	\$5
West Lake Road Schoolhouse (9am – 9pm)	Monday Friday	\$25	\$35
	Saturday or Sunday	\$40	\$60
Outhouse Hall	9am to 9pm	\$100	\$150
Outhouse Park Pavilion	9am to 9pm	\$30	\$45
Pierce Park Pavilion #1	9am to 9pm	\$15	\$30
Pierce Park Pavilion #2	9am to 9pm	\$15	\$30
Blue Heron Pavilion	9am to 9pm	\$15	\$30
Credit Card Convenience/Processing Fee		2% to 2.5%	2% to 2.5%
Cart Fee		5¢	5¢
Book-Your-Site Fee		\$5	\$5
Facility Alcohol Permit		\$100	\$100
Bench Sponsorship with Engraved Plaque		\$400	\$400
Tree Sponsorship with a Tree and Engraved Stone		\$400	\$400

DEVELOPMENT OFFICE:		
Zoning Board of Appeals:	Area Variance, Use Variance, Interpretation (Per Requested Variance)	\$100
Solar:	Small Scale Solar Residential	\$100
	Large Scale Solar Facility (where permitted)	\$5 per kw
Planning Board:		
Special Use Permit Application, Sketch Plan Application		\$100
Lot Line Adjustments (for each existing and proposed lot)		\$100 per lot
Major Subdivision (5 or more lots) – Preliminary Approval		\$1,000 plus \$100 per lot
Major Subdivision (5 or more lots) – Final Approval		\$1,000 plus \$100 per lot
Minor Subdivision (up to and including 4 lots) – Preliminary Approval		\$250 plus \$50 per lot
Minor Subdivision (up to and including 4 lots) – Final Approval		\$250 plus \$50 per lot
Formed Based Code Reviews:		
Site Plan Review (Minor – Under 5,000 sf)		\$250
Site Plan Review (Major – 5,000 sf or greater)		\$500
Park and Recreation Fee (per dwelling unit)		\$1,000 per unit
Site Plan / Construction / Building Permits:		
<u>Single-Family (Residential) Dwelling / Manufactured Home (AR1, AR2, R120, R130, RLD, RR3, SCR1)</u>		
Planning Board Site Plan Approval		\$150
Extension of Site Plan Approval		\$100
Construction, expansion or structural alternation, including accessory structures		\$50 plus 20¢ per sq ft (Minimum \$100)
Mechanical improvements		\$50
Annual Short Term Rental Registration		\$100 / Dwelling
Unlisted Permits		\$50
Issuance of Special Use Permit		\$50
Sign Permit		\$150 per sign
Soil Erosion & Sedimentation		\$150
MS4 Acceptance Certificate		\$150
Hot Tub / Pool (Above Ground)		\$100
Hot Tub / Pool (In Ground)		\$150
Hot Tub / Pool Re-Inspection (for each re-inspection)		\$50
Certificate of Compliance (not associated with current building permit)		\$50
Certificate of Pre-Existing Non-Conforming		\$100

Certificate of Non-Conformity	\$100
Open Building Permit Extension	\$100
Release of Stop Work Order	\$100
Park & Recreation (Per Dwelling Unit)	\$1,000 per unit
Consultant Fees	See Town Code Chapter 11

Multiple Family Dwelling (MR, MR281, MH)	
Site Plans – Preliminary Approval	\$250 plus \$50 per dwelling unit
Site Plans – Final Approval	\$250 plus \$50 per dwelling unit
Extension of Site Plan Approval	\$100
New Construction, expansion or structural alternations	\$500 plus 30¢ per sq ft
Mechanical improvements	\$200
Unlisted Permit	\$100
Issuance of Special Use Permit	\$50
Sign Permit	\$150 per sign
Soil Erosion & Sedimentation	\$150
MS4 Acceptance Certificate	\$150
Hot Tub / Pool (Above Ground)	\$100
Hot Tub / Pool (In Ground)	\$150
Hot Tub / Pool Re-Inspection (for each re-inspection)	\$50
Open Building Permit Extension	\$100
Certificate of Compliance (not associated with current building permit)	\$50
Certificate of Pre-Existing Non-Conforming	\$100
Certificate of Non-Conformity	\$100
Release of Stop Work Order	\$100
Park & Recreation (Per Dwelling Unit)	\$1,000 per unit
Consultant Fees	See Town Code Chapter 11
Commercial and Industrial (CC, NC, I, LI, RB1)	
Site Plan Approval – Preliminary	\$250
Site Plan Approval – Final	\$250
Extension of Site Plan Approval	\$100
New Construction, expansion or structural alterations	\$500 plus 30¢ per sq ft
Mechanical improvements	\$500
Interior Renovation / Modification	\$500
Issuance of Special Use Permit	\$50
Soil Erosion and Sedimentation	\$150
MS4 Acceptance Certificate	\$150

Sign Permit	\$250 per sign
Sign Permit – Tenant Identification Sign	\$150 per sign
Fire Safety Re-Inspection	\$100
Unlisted Permits	\$100
Certificate of Compliance (not associated with current building permit)	\$50
Certificate of Pre-Existing Non-Conforming	\$100
Certificate of Non-Conformity	\$100
Open Building Permit Extension	\$100

Release of Stop Work Order	\$100
Park & Recreation Fee	\$1,000 per building
Consultant Fees	See Town Code Chapter 11

¹Categories are defined by the occupancy classifications described in the NYS Uniform Fire Prevention and Building Code. Floor or ground area shall be based on the outside dimensions; living area to include breezeway, mud-room, enclosed porch, attached garage, attic and living area in the basement. This calculation shall apply to both new and/or renovated space.

²See Zoning and/or Code Enforcement Officer for Permit Requirements.

³ “Structural Alteration” includes windows, doors, and load bearing modifications.

⁴ “Mechanical Improvements” include HVAC, electrical, heating and roofs.

WATER DEPARTMENT		
Meters for Canandaigua Consolidated & Bristol Water Districts Only: (The pricing includes tapping of the water main, bronze saddle, corporation stop, curb box valve, curb box, SS rod, water meter, and right-angle meter valve and inspection of trench)		
	¾"	\$850 \$1,020
	1"	\$975 \$1,145
	1.5"	\$1,757
	2"	\$2,600
	Water meter larger than 2"	Contact Water Superintendent
	¾ inch water meter, cellular endpoint, right angle meter valve and inspection	\$550 \$590
	1 inch water meter, cellular endpoint, right angle meter valve and inspection	\$600 \$660
Meter pits are required when the location of the structure is farther than 500 feet from the road.		
	¾" meter pit	\$750 \$1,065
	1" meter pit	\$875 \$1,250
Replacement Cost of Water Meter Materials:		
	Electronic reading device (cellular endpoint)	\$260 \$286
	Register for water meter	\$90 \$105
	¾" water meter replacement	\$90 \$110
	1" water meter replacement	\$225
	1 ½ " water meter replacement	\$525 Contract Office
	2" water meter replacement	\$1,250 Contract Office
Directional Drilling Under A Road:		
	Up to 2" Pipe	\$1,400 \$1,500
	2" and larger	Contact Water Superintendent
Testing water meter for accuracy		\$50 \$100
Hydrant Meter Rental (Includes a water meter and back flow device that will be connected to the hydrant by the Water Department. A \$500 deposit is required. When equipment is returned in working condition, deposit will be refunded). Hydrant meter rentals will be invoiced monthly.		\$50 \$100 rental fee/month plus \$4.64 \$6.50 per 1,000 gallons
Water Charge to Town of East Bloomfield		\$2.90 \$66 \$3.36711 per 1,000 gallons

Water Charge to the Town of Hopewell, Town of Farmington, and Town of Gorham	\$2.21866 \$2.29557 per 1,000 gallons
--	--

Canandaigua Consolidated District Fees:			
Meter Size	Gallons of Consumption	Minimum Bill \$4.64 \$4.91 per 1,000 Gallons	Additional Cost Per 1,000 Gallons
¾"	0 – 6,000	\$27.84 \$29.46	\$4.64 \$5.29
1"	0 – 10,000	\$46.40 \$49.10	
1 ½"	0 – 16,000	\$74.24 \$78.56	
2"	0 – 30,000	\$139.20 \$147.30	
3"	0 – 50,000	\$232.00 \$245.50	
4"	0 - 80,000	\$371.20 \$392.80	
6"	0 – 160,000	\$742.40 \$785.60	
8" – 12"	0 – 200,000	\$928.00 \$982.00	

Bristol Water District Fees:			
Meter Size	Gallons of Consumption	Minimum Bill \$4.93 \$5.50 per 1,000 Gallons	Additional Cost Per 1,000 Gallons
¾"	0 – 6,000	\$29.58 \$33.00	\$4.93 \$5.97
1"	0 – 10,000	\$49.30 \$55.00	
1 ½"	0 – 16,000	\$78.88 \$88.00	
2"	0 – 30,000	\$147.90 \$165.00	
3"	0 – 50,000	\$246.50 \$275.00	
4"	0 - 80,000	\$394.40 \$440.00	
6"	0 – 160,000	\$788.80 \$880.00	
8" – 12"	0 – 200,000	\$986.00 \$1,100.00	

Fee Schedule for Town of Canandaigua Water Department to Repair the Water System:		
The purpose of this section is for the setting of fees associated with the Town of Canandaigua Water Department to repair any damage that may occur to the water system by an outside agency. Some examples, including but not limited to, are damage to the water main, water service, curb stop, or meter pit or any other water infrastructure that is in the right of way. The Water Department does not maintain any water infrastructure after the curb stop. The need for repair and the type of repair are at the sole discretion of the Town of Canandaigua Water Superintendent. Additional materials fees may apply. The responsible party will be invoiced according to the following:		
Employees:		
Labor per man hour, straight time		\$50.00
Labor per man hour, on overtime		\$75.00 \$95.00
Administrative cost, per hour		\$80.00

Heavy Equipment:	
Excavator 20 ton, per hour	\$150.00 \$180.00
Mini excavator, per hour	\$85.00 \$100.00
Dump truck, per hour	\$85.00 \$95.00
Water loss, calculated by the Water Superintendent	\$5.50 \$6.50 per 1,000 gallons

TRANSFER STATION

Transfer Station Coupons: (Coupons, \$2 each, can be purchased at the Town Clerk's office or at the Transfer Station. The machine at the Transfer Station only accepts 1's, 10's and 20's.)

	# of Coupons Required
Furniture:	
Stuffed Chair	2
Couch, Love Seat, Sectional (EACH section)	4
Kitchen Chair, Stool, Office Chair, or Patio Chair	1
Coffee/Side Table, Small Shelf	1
Kitchen Table, Desk, Small Dresser, or Book Case	2
Large Dining Table (w/ leaves), Over-Sized Desk, or Large Dresser	4
Mattress (Twin Size)	2
Mattress (Full or Larger Size)	3
Box Spring (Twin Size)	2
Box Spring (Full or Larger Size)	3
Construction & Demolition Debris:	
9' x 12' Carpet	3
9' x 12' Carpet Padding	2
Bath Tub, Toilet, Vanity, or Sink	2
30 Gallon Bag or Garbage Can (unit of measure)	1
55 Gallon Barrel (unit of measure)	2
Wood, Drywall, Vinyl Siding: ½ Bed Pick-Up Load	10
Wood, Drywall, Vinyl Siding: Full Bed Pick-Up Load*	20
Shingles or Tile: ½ Bed Pick-Up Load	12
Shingles or Tile: Full Bed Pick-Up Load*	24
*Additional fees will apply for trailer or oversized truck loads	
Electronics:	
CRT Monitor – 18" or Smaller	7
CRT Monitor 19" – 26"	9
CRT Monitor 27" and Larger	22
Any Wood Console / Projection / Oversized Units	25
Flat Panel TV up to 26"	4
Flat Panel TV 27" and up	9

Transfer Station Permit Placard (2 Year)*2021 permits valid through 2022	Free

TOWN BOARD	
Petition to Amend Official Zoning Map (Mixed Use Overlay Districts)	\$50
Formal Rezoning Process	\$500

TOWN CLERK OFFICE		
Dog Licenses:	Spayed / Neutered	\$20
	Unspayed / Unneutered	\$30
	Replacement Tag	\$3
Late Fee (if not paid within 30 days of first renewal notice) The Town Clerk has the authority to waive Late Fee for extenuating circumstances.		\$5
Marriage License (Includes Certificate of Marriage Registration):		
	Active Military	\$17.50
	Non-Military	\$40
Certified Transcript of Marriage Request – No Record Certification		\$10
Certified Transcript of Marriage (per transcript)		\$10
Birth Certificate Request – No Record Certification		\$10
Birth Certificate (per certificate)		\$10
Death Certificate Request – No Record Certification		\$10
Death Certificate (per certificate)		\$10
Genealogy Search (dependent on number of years to be searched, unused fees to be refunded):		
1 – 3 Years		\$22
4 – 10 Years		\$42
11 – 20 Years		\$62
21 - 30 Years		\$82
31 – 40 Years		\$102
41 – 50 Years		\$122
51 – 60 Years		\$142
61 – 70 Years		\$162
Hunting / Fishing Licenses		NYS DEC
FOIL:	8 ½” 11” / 8 ½” x 14” / 8 ½” x 17”	25¢ / page
	Documents in any Disc Format (CD, DVD, etc.)	\$1.25 / disc
	Flash Drive	\$4.50
	Map Charges (larger than 11” x 17”)	Per Ontario County Copy Rate
Games of Chance		\$25
Returned Check Fee		\$20
Burial Fees at Academy Cemetery:		
	Adult Casket	\$500
	Cremation	\$350
	Infant	\$200
Copies	8 ½” 11” or 8 ½” x 14” or 11” x 17”	25¢ / page
Peddler & Soliciting Permit		\$100 / Applicant

History:

Adopted by the Town Board of the Town of Canandaigua 6/6/77. Amended in its entirety by resolution on 11/7/83, 6/11/90, and 5/8/95 except for those fees listed separate under local law. Further amended 4/3/07, 12/18/07, 3/3/09, 4/21/09; 12/15/10; 1/3/11; 2/13/12, 1/28/13, 1/6/14, 4/28/14, 1/5/15, 12/21/15, 5/16/16, 7/18/16, 9/19/16, 1/9/2017, 4/17/17, 5/15/17, 1/8/18, 5/21/18, 8/20/18; 1/7/19, 2/11/2019, 3/18/19, 7/1/19, 8/19/19, 1/6/2020, 3/16/20, 12/21/2020, 4/19/2021, 1/10/2022; 4/19/2022, 6/13/2022 and July 19, 2022.

ATTACHMENT 6

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT between the Highway Superintendent of the Town of Canandaigua, Ontario County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of **Section 284** of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

GENERAL REPAIRS / PERMANENT IMPROVEMENTS

The sum of \$1,651,633.00 shall be set aside to be expended for primary work and general repairs upon 102.60 miles of town highways, including sluices, culverts and bridges having a span of less than twenty feet, and boardwalks, or the renewals thereof.

The following is a list for the permanent improvement of Town highways:

1. Canandaigua Farmington Townline Road sidewalk \$ 50,000.00
2. Crack seal of roads \$ 50,000
3. Asphalt repairs
 - Shoulder repairs where needed \$ 200,000.00
4. Seneca Point Road
 - Cross culvert and asphalt overlay. \$400,000.000
5. Silvernail Drive reconstruction \$ 300,000.00
6. Deuel Road \$ 200,000.00
7. Goff Road overlay \$ 150,000.00
8. Buffalo Street Ext. overlay and concrete repairs \$ 150,000.00
9. Surface treatments
 - Andrews Road
 - Cooley Road
 - Airport Road
 - Sommers Road
 - Short Road
 - Johnson Road
 - Yerkes Road
 - Buffalo Street Ext.
 - Surface treatments total \$ 151,633

Total Estimated Expenditures \$ 1,651,633.00

Executed in duplicate this 19 day of December 2022.

Town Supervisor
Jared Simpson

Karen DeMay
Councilmember

Adaline Rudolph
Councilmember

Terry Fennelly
Councilmember

James Fletcher
Highway and Water Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

ATTACHMENT 7

Shawna Bonshak

From: Argust, Allison (ESD) <Allison.Argust@esd.ny.gov>
Sent: Friday, December 16, 2022 3:49 PM
To: Shawna Bonshak
Cc: Jared Simpson; Doug Finch; Jean Chrisman; Charlie@edgemere.com
Subject: RE: Intent to Apply for Restore NY Funding

Hello- Thank you for submitting your Intent to Apply form. After review, we are reaching out to notify you that you are eligible to apply for the Restore New York Communities Initiative ("Restore NY") and that you can begin gathering the materials for the submission package, as detailed in Section 3 of the program guidelines. All necessary application materials and FYI information can be found on the [Restore NY website](#).

As a reminder, the application deadline is January 27, 2023 at 3pm. If you have any questions or concerns regarding the application or the program, please feel free to reach out.

Best,
Allison Argust
Director, Industry Development

Empire State Development
625 Broadway, Albany, NY 12233
Allison.Argust@esd.ny.gov

www.esd.ny.gov

From: Shawna Bonshak <sbonshak@townofcanandaigua.org>
Sent: Wednesday, November 30, 2022 2:51 PM
To: esd.sm.RNY7Intent <RNY7Intent@esd.ny.gov>
Cc: Jared Simpson <jsimpson@townofcanandaigua.org>; Doug Finch <dfinch@townofcanandaigua.org>;
jchrisman@townofcanandaigua.org; Charlie@edgemere.com
Subject: Intent to Apply for Restore NY Funding

You don't often get email from sbonshak@townofcanandaigua.org. [Learn why this is important](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

Attached please find our Intent to Apply for Restore NY Funding associated with Edgemere Development's Parkside Drive Apartments project in the Town of Canandaigua.

The property is referenced as follows:
0000 Parkside Drive
Canandaigua, New York 14424
Tax Map # 70.11-1-30.000

I am submitting the Intent to Apply on behalf of our Town Supervisor, Jared Simpson.

Please let me know if you need anything additional and thank you in advance for your time,

Section 1 – Intent to Apply for Restore NY Funding

If a Municipality is intending to apply for Restore NY funding, this form must be submitted by the leading municipal official. Please e-mail a signed PDF copy to RNY7Intent@esd.ny.gov by **November 30th, 2022**. A municipality can submit up to two different letters of intent.

Applications from municipalities that do not submit this form will not be accepted.

ESD will acknowledge receipt of the Letter of Intent by sending a confirmation e-mail to the contact person identified below. It is the responsibility of the municipality to ensure that the Letter of Intent has been received by ESD. If an e-mail confirmation notice is not received by December 16th, 2022, the municipality should contact ESD at (518) 292-5200.

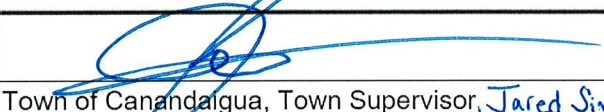
Municipality Name:	Town of Canandaigua
Street Address (not PO Box):	5440 State Route 5/20 West
City, State, Zip:	Canandaigua, NY 14424
County:	Ontario
Contact Name:	Shawna Bonshak
Title:	Town Planner
Phone Number:	585-337-4722
E-Mail Address:	sbonshak@townofcanandaigua.org
Type of Municipality:	County <input type="checkbox"/> City <input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/>
Senate District #(s) and Name(s): (If multiple, list all. Attach additional page if necessary.)	# 54th Senate District, Pamela Helming
Assembly District #(s) and Name(s): (If multiple, list all. Attach additional page if necessary.)	# 131st Assembly District, Jeff Gallahan

In the section below, provide a brief project description that includes how the project meets Restore NY goals (e.g., that the project will demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings). The description should include the size of the project (e.g., number of and square feet of building(s) in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. **You must attach or include a list of the properties you will be using the funding for.** All municipalities are eligible to submit two letters of intent for normal projects. Eligible municipalities can also submit one additional letter of intent for a special project as defined in Section 7 of the guidelines. Please document on the Intent to Apply forms if it is for a special project or not. **You may not submit an application for a project that was not the subject of an approved letter of intent.**

Name of Project:	Parkside Drive Apartments
Number of Properties:	1
Estimated Project Cost:	\$21,000,000
Estimated Restore NY Request:	\$3,000,000
Name of Development Company:	Edgemere Development

Brief Project Description:

Edgemere Development is proposing to improve the local housing stock in the Town of Canandaigua by redeveloping a vacant parcel to create 48 new permanent housing units affordable to households earning at or below 30%, 50%, and 70% of Area Median Income. This project addresses local/regional/state development goals and is located in the Town's Uptown Form-Based code area. Work scope involves the development of one new building, parking, and greenspace. The proposed structure will be four stories, wood-framed, and span 51,917 square feet. Design is complementary to neighboring uses and consistent with local planning documents. Additionally, the project is 100% electric in accordance with state goals. Total project cost is \$21,000,000. The \$3,000,000 being requested in RESTORENY funds will leverage over \$18 million in public and private resources from NYSHCR, tax-credit investors, and NYSEDA. Pending RESTORENY and NYSHCR awards, the project is prepared to close and start construction in September 2023.

Signature		Date	11.30.2022
Title	Town of Canandaigua, Town Supervisor, Jared Simpson		

ATTACHMENT 8

HIKING / BIKING TRAIL EASEMENT

THIS EASEMENT is made this ____ day of _____, of 20____, by and between **Matthew and Amber Valvano**, having an address of **5600 Thomas Road**, hereinafter referred to as the "Grantor" and the **Town of Canandaigua**, a municipal corporation, having its main office at 5440 Routes 5 & 20, Canandaigua, NY 14424, hereinafter referred to as the "Grantee".

The Grantor is the owner of certain premises known as **5600 Thomas Road** located in the Town of Canandaigua, Ontario County, New York, bearing tax account parcel number **69.00-1-10.122**, hereinafter referred to as the "Premises."

The Grantee is a municipal corporation which has determined that it is necessary for Town of Canandaigua purposes to obtain a hiking / biking trail easement and right of way over a portion of the Premises as more fully described on Schedule A attached hereto and shown in the map prepared by Bill Grove dated November 7, 2019, and signed by the Canandaigua Town Planning Board chairman on February 12, 2020, attached hereto, hereinafter referred to as the "Easement Area."

The Easement Area is part of the Premises conveyed to Grantor by deed dated November 19, 2018, and recorded December 11, 2018, in the Ontario County Clerk's Office in Liber 1419 of Deeds at Page 0598.

In consideration of One Dollar (\$1.00), which has been waived, the mutual covenants set forth herein and other good and valuable consideration, the parties agree as follows:

The Grantor hereby grants, releases and conveys to the Grantee, its successors, assigns and special districts forever, a permanent hiking / biking trail easement and right-of-way in, under and along the Easement Area for the purpose of establishing a hiking / biking trail right-of-way for the use of the general public, whether by pedestrian traffic, by devices intended to assist the disabled, by human powered vehicles or by animals and for the purpose of building, constructing, maintaining, using, operating, repairing, reconstructing and removing said hiking / biking trail and Easement Area, keeping the hiking / biking trail and Easement Area open and accessible, and inspecting the hiking / biking trail and Easement Area from time to time together with the right of the Grantee, its officers, employees, agents, servants or contractors, and of the general public, of ingress and egress to enter upon and along the Easement Area for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, but not limited to, any of the purposes hereinbefore specified.

To have and to hold the easement and right-of-way until the Grantee and its successors and / or assigns forever.

The Grantee shall have the right and privilege at any time to enter upon and temporarily use an additional strip of land ten (10) feet in width immediately adjacent to each side of the permanent easement granted herein for the purpose of performing maintenance or repairs on said hiking / biking trail. At the termination of a temporary occupancy hereby authorized, the Grantee will restore, at its expense, the lawn and shrubbery of the Easement Area and the area of the Premises so temporarily used only to as reasonably good condition as before insofar as it is feasible or reasonable to make such restoration.

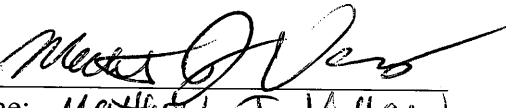
Grantor for itself, its agents, distributees, heirs, successors and assigns covenants and agrees that no buildings or structures shall be constructed, nor trees planted, nor shall changes be made to the grade of the land within the Easement Area nor shall there be any excavating, filling, mining or blasting within the limits of said Easement Area without the prior written consent of the Grantee.

The Grantee, its successors, assigns, agents or contractors, may at any time remove all obstructions from the Easement Area, including trimming or removal of trees and shrubs, which is reasonably determines are interfering with the operation, access, use or maintenance of the hiking / biking trail or part thereof without liability to the Grantor.

Grantor warrants that it has good and marketable title to the Premises, free from all liens or encumbrances, and the right to create this easement for the benefit of the Grantee.

Grantor covenants that the Grantee shall quietly enjoy this easement and shall forever warrant and defend tittle against all claims against the Premises.

The parties have executed this easement as of the day and year first above written.

By: 
Name: Matthew J. Vallero

TOWN OF CANANDAIGUA

By: _____
Douglas E. Finch, Town Manager

STATE OF NEW YORK]
COUNTY OF ONTARIO] ss:

On this 3 day of NOV, 2022 before me, personally appeared MATTHEW VALLERO, personally known to me or proved to me on the basis of satisfactory evidence to be in the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.


Notary Public

MICHAEL P. JENKS
Notary Public, State of New York
Monroe County, Reg. #01JE6001065
Commission Expires 12-29,25

STATE OF NEW YORK]
COUNTY OF ONTARIO] ss:

On this _____ day of _____, 20____, before me, personally appeared **Douglas E. Finch**, personally known to me or proved to me on the basis of satisfactory evidence to be in the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.

Notary Public

PERMANENT HIKING/BIKING TRAIL EASEMENT
MAP # 1, PARCEL # 1
OWNER N/F: VALVANO, MATTHEW J & AMBER M
TAX MAP ID # 69.00-1-10.122

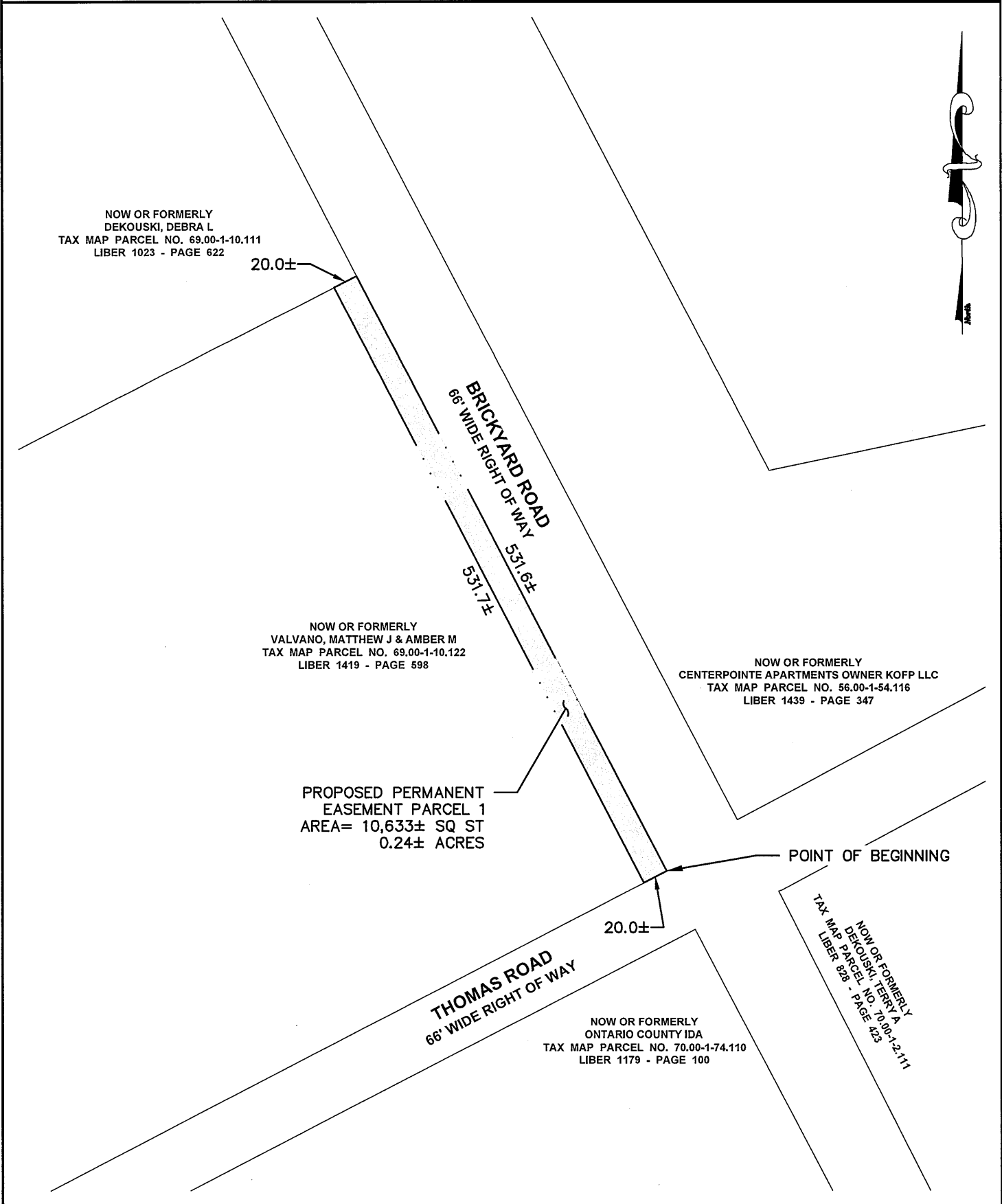
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Canandaigua, County of Ontario and State of New York, as shown on a map M-1 and entitled "20' Wide Permanent Hiking/Biking Trail Easement to the Town of Canandaigua" and designated as parcel P-1, prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. and dated 2/2020, and bordered and described as follows:

Beginning at the southeast corner of Tax Map Parcel 69.00-1-10.122, said point being the intersection of the existing westerly highway boundary of Brickyard Road and the existing northerly highway boundary of Thomas Road; thence

1. Northerly, along the last mentioned existing westerly highway boundary of Brickyard Road a distance of 531.6'± to a point at its intersection with the existing southerly property boundary of Tax Map Parcel 69.00-1-10.111; thence
2. Westerly, along the last mentioned existing southerly property boundary of Tax Map Parcel 69.00-1-10.111 a distance of 20.0'± to a point; thence through lands of Tax Map Parcel 69.00-1-10.122 the following course and distance
3. Southerly, running parallel to and 20' southerly of as measured at right angles of the existing westerly highway boundary of Brickyard Road a distance of 531.7'± to a point at its intersection with the existing southerly property boundary of Tax Map Parcel 69.00-1-10.122; thence
4. Easterly, along the last mentioned existing easterly property boundary of Tax Map Parcel 69.00-1-10.122 a distance of 20.0'± to the point and place of beginning, containing 10,633± square feet of land, or 0.24± acres more or less.

TAX MAP NUMBER 69.00-1-10.122
OWNER N/F VALVANO, MATTHEW J &
AMBER M
STREET ADDRESS 5600 THOMAS ROAD

MAP No. M-1
PARCEL No. P-1



20' WIDE PERMANENT HIKING/BIKING
TRAIL EASEMENT TO THE
TOWN OF CANANDAIGUA
ONTARIO COUNTY, NEW YORK

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is in violation of Article 145, Section 7209, Subdivision 2 of the New York State Education Law.

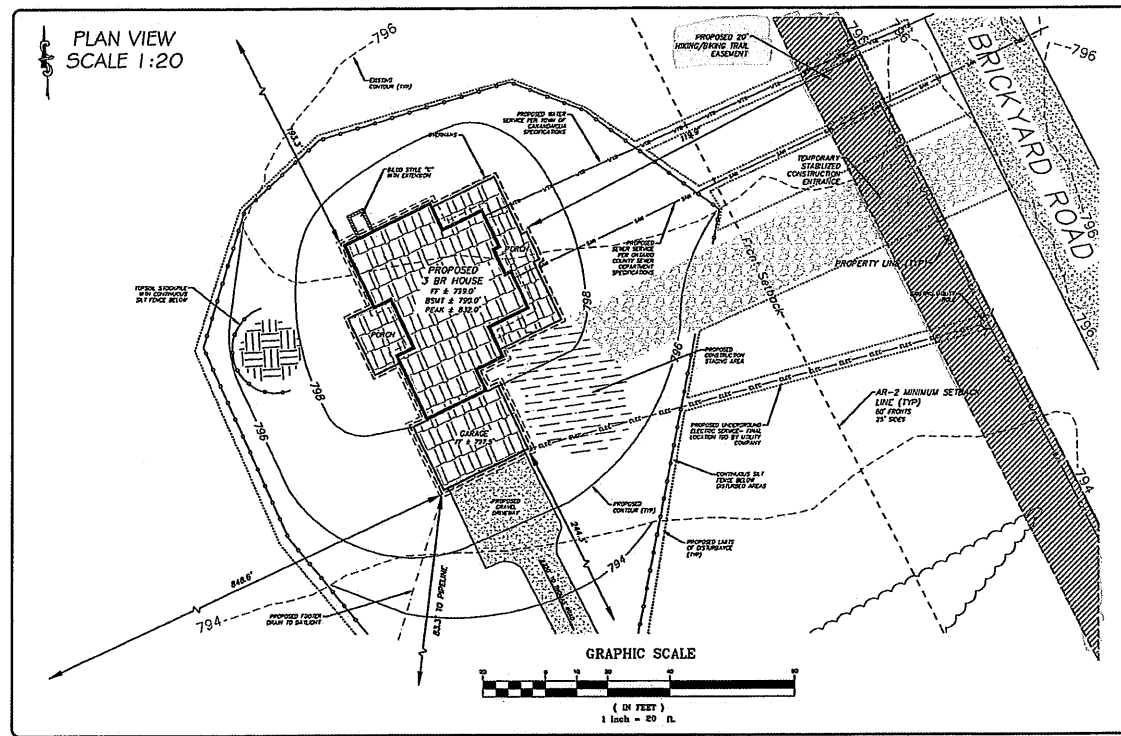
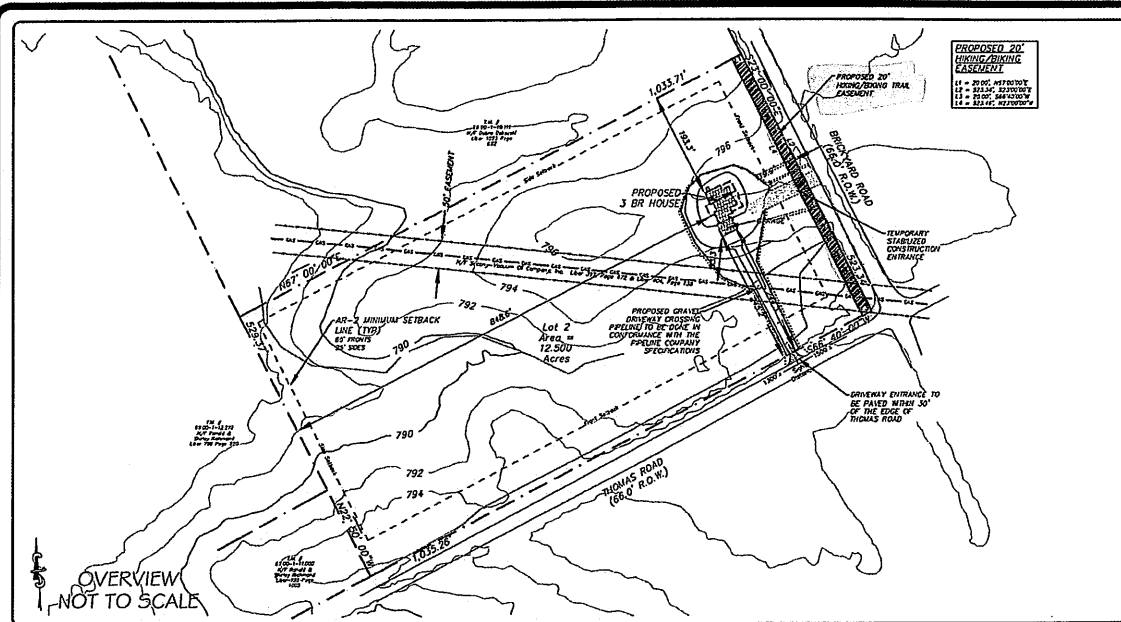
Copies from the original of this survey map not marked with an original of the licensed land surveyor's inked seal or his embossed seal shall not be considered to be a valid true copy.

Certifications shown hereon shall run only to the person for whom the survey is prepared and, on his behalf, to the Title Company, Government Agency, and Lending Institution listed hereon, and to the assignees of the Lending Institution. Certifications are not transferable to additional institutions or subsequent owners.

All Rights Reserved
MRB Group
Copyright © 2020

Scale: 1" = 100'
Date: 2/2020
Project: 0300.12001.000

MRB | *group*
Engineering, Architecture & Surveying, D.P.C.
The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, New York 14620
Phone: 585-381-9250
www.mrbgroup.com



- GENERAL NOTES:**
1. THE PROPOSED USE OF THE PROPERTY IS A SINGLE FAMILY RESIDENCE.
 2. THIS PROPERTY ZONED: AR-2 AGRICULTURAL/RURAL RESIDENTIAL.
 3. TOTAL AREA DISTURBED BY THE PROJECT IS APPROXIMATELY 15,400 SQUARE FEET (0.35 ACRES), RELATED TO INSTALLING A DRIVEWAY, CONSTRUCTING THE PROPOSED RESIDENCE AND GARAGE, AND RELATED UTILITIES.
 4. CONSTRUCTION IS ANTICIPATED TO COMMENCE IN DECEMBER 1, 2019.
 5. THE VEGETATION ON THE LOT CURRENTLY CONSISTS OF OPEN FIELD. THERE ARE NO MATURE TREES THAT WILL BE DISTURBED BY THE PROJECT.
 6. DRAINAGE RUNOFF PRODUCED BY THE PROPOSED SITE IMPROVEMENTS SHALL NOT BE DIRECTED TOWARDS NEIGHBORING PROPERTIES AND/OR BUILDING FOUNDATIONS.
 7. IF REQUIRED, THE CONTRACTOR SHALL PROVIDE TEMPORARY EROSION CONTROL MEASURES, AT THE EXPENSE OF THE CONTRACTOR OR OWNER, TO PREVENT SILTATION OF DOWNSTREAM PROPERTIES.
 8. IN THE EVENT OF A FAILURE OF AN EROSION CONTROL DEVICE, THE CONTRACTOR AND OWNER ARE RESPONSIBLE TO RESTORE DOWNSTREAM AREAS AT THEIR EXPENSE.
 9. THE PROPOSED BUILDING PLANS HAVE BEEN DEVELOPED BY BARON BUILDING PRODUCTS.
 10. THE PROPOSED DRIVEWAY TO THE HOUSE WILL BE 12' WIDE AND WILL FACILITATE EMERGENCY VEHICLE ACCESS TO THE HOUSE.
 11. PEDESTRIAN ACCESS IS NOT REQUIRED.
 12. THERE IS NO OUTDOOR STORAGE PROPOSED ON THE LOT.
 13. THERE IS NO PROPOSED FENCING.
 14. THERE ARE NO OTHER PROPOSED SITE IMPROVEMENTS (RETAINING WALLS, CULVERTS, STORAGE TANKS, ETC.)
 15. SEWAGE DISPOSAL WILL BE ACHIEVED BY THE TOWN OF CANANDAIGUA SEWER CONNECTION.
 16. STORMWATER WILL SHEET FLOW AROUND THE PROPOSED HOUSE. GUTTERS AND DOWNSPOUTS WILL BE DIRECTED TO SPLASH BLOCKS OR PIPED TO A DRAINAGE AT LOCATION DETERMINED BY THE CONTRACTOR.
 17. THE PROPOSED WATER SERVICE TO THE HOUSE WILL BE ACHIEVED BY THE TOWN OF CANANDAIGUA WATER CONNECTION, AND THE FOLLOWING SHALL BE REQUIRED:
 - 17.1. PROPERTY OWNER WILL NEED TO SUBMIT A PAID APPLICATION FOR WATER SERVICE TO THE TOWN.
 - 17.2. PROPERTY OWNER TO FOLLOW THE STANDARDS OF WATER SERVICE MATERIALS PER THE TOWN OF CANANDAIGUA SPECIFICATION.
 - 17.3. A PRESSURE REDUCING VALVE IS MANDATORY AFTER THE WATER METER AND MAINTAINED BY THE PROPERTY OWNER.
 - 17.4. WATER SERVICE MATERIALS:
 - 17.4.1. CORPORATION STOP SHALL BE CAST BRASS WITH "O" RING SEALS, INVELLER N-15008 (3/4" x 2").
 - 17.4.2. CURB STOPS SHALL HAVE CAST BRASS BODIES WITH "O" RING SEALS, COMPRESSION TYPE, INVELLER N-15209 (1/4" x 2").
 - 17.4.3. CURB BOXES SHALL BE TWO (2) PIECE BOXES WITH A SLIDE TYPE EXTENSION, A CAST IRON ARCH PATTERN LOWER SECTION, A ONE (1) PIECE CAST IRON LID AND A STAINLESS STEEL STATUARY SHUT-OFF ROD, INVELLER N-10314 (3/4" x 1/2" x 10310 (2').
 - 17.4.4. WATER SERVICE PIPE SHALL BE TYPE "K" COPPER, MINIMUM 200 PSI WORKING PRESSURE, ALL ACCORDING TO ASTM A-80.
 - 17.4.5. PLASTIC PIPE SHALL BE COPPER TUBE SIZE (CTS) POLYETHYLENE ASTM D-2537, PERKINS HOPE PER AWWA C-301 ON A MINIMUM BASIS OF 200 PSI (ONLY USED FROM CURB BOX TO UNIT) AND A #10 GAUGE COPPER TRACER WIRE SHALL BE INCLUDED FROM THE CURB BOX TO THE STRUCTURE.
 - 17.5. THE DRIVEWAY WILL BE WIDE ENOUGH TO ACCOMMODATE EMERGENCY VEHICLES. THERE IS A FIRE HYDRANT EAST OF THE PROPERTY ON BRICKYARD ROAD.
 - 17.6. THE PROPOSED ELECTRIC SERVICE LINES WILL COME FROM THE EXISTING OVERHEAD ELECTRIC EAST OF THE HOUSE. FINAL ELECTRIC SERVICE LOCATION TBD BY UTILITY COMPANY.
 - 17.7. THERE ARE NO PROPOSED SLOES ON THE PROJECT.
 - 17.8. THE LANDSCAPING SHALL CONSIST OF RESTORING ALL DISTURBED AREAS TO A WALKABLE LAWN.
 - 17.9. THE DRIVEWAY IS TO BE GRAVEL.
 - 17.10. THE PROJECT AREA LIES WITHIN ZONE X, AS DEFINED ON FLOOD INSURANCE RATE MAP #06059, PANEL #0005.
 - 17.11. ALL SITE LIGHTING IS TO COMPLY WITH THE LIGHTING STANDARDS CONTAINED IN SECTION 220-77 OF THE TOWN CODE. ALL EXTERIOR LIGHTING IS TO BE DARK SKY COMPLIANT.
 - 17.12. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED, INSTALLED AND MAINTAINED PER THE REQUIREMENTS SET FORTH IN THE LATEST EDITION (2016) OF THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL.
 - 17.13. NO PHOSPHORUS SHALL BE USED AT PLANTING THE UNLESS SOIL TESTING HAS BEEN COMPLETED AND TESTED BY A HORTICULTURAL TESTING LAB AND THE SOIL TESTS SPECIFICALLY INDICATE A PHOSPHORUS DEFICIENCY THAT IS HARMFUL, OR WILL PREVENT NEW LAWNS AND PLANTINGS FROM ESTABLISHING PROPERLY.
 - 17.14. IF SOIL TESTS INDICATE A PHOSPHORUS DEFICIENCY THAT WILL IMPACT PLANT AND LAWN ESTABLISHMENT, PHOSPHORUS SHALL BE APPLIED AT THE RATES RECOMMENDED LEVEL PRESCRIBED IN THE SOIL TEST FOLLOWING ALL NYS DEC GUIDELINES.
 - 17.15. MAINTENANCE (IF INSTALLED) SHOULD BE 16 FEET FROM THE CENTER OF THE ROAD AND A MINIMUM HEIGHT OF 45' FROM THE BOTTOM OF THE BOX.

- PROPOSED CONSTRUCTION SEQUENCE:**
1. OBTAIN PLAN APPROVAL AND OTHER APPLICABLE PERMITS.
 2. FLAG THE WORK LIMITS.
 3. INSTALL SILT FENCE BELOW ALL AREAS OF DISTURBANCE.
 4. FENCE OFF ANY AREAS THAT ARE NOT TO BE DISTURBED.
 5. INSTALL TEMPORARY CONSTRUCTION DRIVEWAY.
 6. INSTALL UTILITIES.
 7. CONSTRUCT HOUSE.
 8. INSTALL PERMANENT DRIVEWAY.
 9. REMOVE TEMPORARY CONSTRUCTION DRIVEWAY.
 10. ROUGH GRADE LAWN AREA.
 11. FINAL GRADE.
 12. RESTORE ALL DISTURBED AREAS AS INDICATED ON THE PLAN.
 13. TOPSOIL AND SEED ALL DISTURBED AREAS IMMEDIATELY.
 14. AFTER STABILIZATION OF THE SITE AND APPROVAL FROM TOWN AND ENGINEER, REMOVE TEMPORARY MEASURES (SILT FENCE) AND INSTALL PERMANENT VEGETATION ON ALL DISTURBED AREAS.

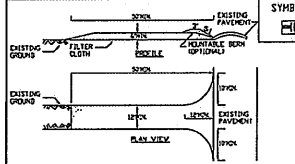
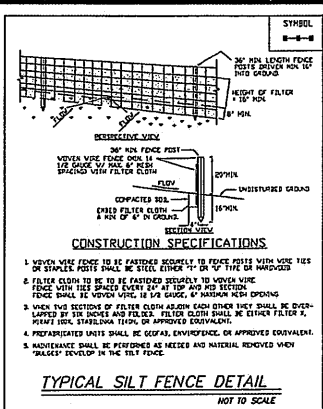
- SITE DATA:**
1. SITE ADDRESS: 5600 THOMAS ROAD, TOWN OF CANANDAIGUA, ONTARIO COUNTY
2. TAX MAP NUMBER: 101-12
3. APPLICANT: ANDER & MATTHEW VALVAND
4. MAILING ADDRESS: 6144 BUCKSHAW DRIVE, FARMINGTON, NY 14425
5. EXISTING ZONING: AR-2, AGRICULTURAL/RURAL RESIDENTIAL
6. MINIMUM SETBACKS: 60' FRONTS (119.5' & 244.3' PROPOSED), 25' SIDES (845.6' & 193.9' PROPOSED)
7. MAXIMUM HEIGHT: 35' ABOVE AVERAGE GRADE (33.0' PROPOSED)
8. MAXIMUM COVERAGE: 20% (1.4% PROPOSED)

- LEGEND**
- EXISTING CONTOUR
 - PROPOSED CONTOUR
 - EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - OVERHEAD ELECTRIC & TELEPHONE
 - EXISTING WATERLINE
 - PROPOSED WATERLINE
 - EXISTING GAS LINE
 - PROPOSED GAS LINE
 - EXISTING SEWER LINE
 - PROPOSED SEWER LINE
 - UTILITY POLE
 - SILT FENCE BARRIER
 - EXISTING SLOPE OVER 15%
 - LIMIT OF DISTURBANCE
 - PROPOSED GARDEN BARRIER
 - PROPOSED EROSION CONTROL
 - EXISTING ELECTRIC SERVICE
 - PROPOSED ELECTRIC SERVICE
 - EXISTING WATER SERVICE
 - PROPOSED WATER SERVICE

- MAP REFERENCE:**
1. LOT LINE ADJUSTMENT OF LANDS OF DEBRA L. DEKOSCH PREPARED BY DAVID M. PARRINELLO, DATED 11/13/2018.
 2. LAND COVER INFORMATION OBTAINED FROM ONTARIO COUNTY GIS DATA RESOURCE CENTER AND USED IN ACCORDANCE WITH THEIR DATA SHARING AGREEMENT.
 3. CONTOURS ARE APPROXIMATE, NAVD83 DATUM.

SITE LOCATION

5600 THOMAS ROAD
CANANDAIGUA, NY 14424



- CONSTRUCTION SPECIFICATIONS:**
1. SLOPE SIDE - USE #4 STEEL OR EQUIVALENT REINFORCED CONCRETE EQUIVALENT.
 2. LENGTH - NOT LESS THAN 30 FEET EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 25 FOOT MINIMUM LENGTH WOULD APPLY.
 3. THICKNESS - NOT LESS THAN 18 INCHES.
 4. WIDTH - TWELVE (12) FEET MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE PRESSURE OR CURVES EXCEEDS TWENTY-FOUR (24) FEET IF SINGLE EXPOSURE TO SITE.
 5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF OTHER.
 6. SURFACE WATER - ALL SURFACE WATER FLOWING OR REVERSED TOWARD EXISTING DRAINAGE OR DRAINAGE SHALL BE DIED ABOVE THE DRAINAGE IF IT IS IMPRACTICAL, A PERMANENT BORN WITH 51 SLOPES WILL BE PERMITTED.
 7. MAINTENANCE - THE DISTANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRAFFIC OR EXPOSURE OF EXISTING DRIVEWAYS OR TRACTED PUBLIC RIGHTS-OF-WAY. ALL SHALL BE ADVISED IMMEDIATELY.
 8. WHEN VARIATION IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND MOVED SHOWN INTO AN APPROVED EROSION CONTROL DEVICE.
 9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

TOWN OF CANANDAIGUA
TOWN CLERK

JAN 31 2020

Handwritten signature

GROVE ENGINEERING

8677 STATE ROUTE 53
PARLEY, NEW YORK 14512
865-551-1408 FAX
865-551-1408 FAX
groveengineeringny@yahoo.com

SITE PLAN

PROPOSED VALVAND RESIDENCE

5600 THOMAS ROAD

T.M.# 69.00-1-10.122

TOWN OF CANANDAIGUA

ONTARIO COUNTY

NEW YORK

NOVEMBER 7, 2019

SHEET 1 OF 1

WILLIAM J. GROVE, PE

NYS LICENSE #084111

ATTACHMENT 9



Recording Office Time Stamp

Real Estate Transfer Tax Return
For Public Utility Companies'
and Governmental Agencies'
Easements and Licenses

This form may only be used by public utility companies regulated by the Public Service Commission and governmental agencies for the recording of easements and licenses where the consideration for the grant of such easement or license is \$500.00 or less.

Name of grantee (public utility company or governmental agency) Town of Canandaigua	Federal employer identification number (if applicable) 166002197
Address of grantee 5440 Route 5 & 20 West, Canandaigua NY 14424	Name and telephone number of person to contact Jean Chrisman 585-394-1120

Name(s) of Grantor Of Easement or License	Address of Property	Consideration Given For Easement or License
1. Frontenac Holding LLC	2121 St Rt 332 TM# 56.00-1-57.000	-0-
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

If more than fifteen conveyances are to be recorded, attach a schedule of such other conveyances.

Signature of Grantee

I certify that the grantee is a public utility regulated by the Public Service Commission or is a governmental agency and the grantee of the easements and/or licenses above; that it is true to the best knowledge of the grantee that the granting of each such easement and/or license is exempt from Real Estate Transfer Tax imposed by Article 31 of the Tax Law by reason that each such conveyance is for a consideration of five hundred dollars or less and/or the conveyance is being made to a governmental agency.

Town of Canandaigua	Signature of partner, officer of corporation, governmental official, etc.
Name of grantee	Town Clerk
	Title

STORMWATER CONTROL FACILITIES MAINTENANCE AGREEMENT

WHEREAS, the Town of Canandaigua, having an address of 5440 Routes 5 & 20 West, Canandaigua, New York 14424 (Municipality) and Frontenac Holding, LLC (Facility Owner), having an address of 21 Basin Street, Union Springs, New York 13160 want to enter into an agreement (this "Agreement") to provide for the long-term maintenance and continuation of permanent stormwater control measures approved by the Municipality for the below named project, and

WHEREAS, the Municipality and the Facility Owner desire that the permanent stormwater control measures, as detailed on the approved project plan titled "SITE PLAN"- having drawing number S-1, prepared by Thorton Engineering LLP and last revised March 22, 2022, (the "Plans"), be built in accordance with the Plans and thereafter be maintained, cleaned, repaired, replaced, and continued in perpetuity in order to ensure optimum performance of the components. Reduced size versions of the Plans are attached hereto as Exhibit A.

Therefore, the Municipality and the Facility Owner agree as follows:

1. This Agreement binds the Municipality and the Facility Owner, its successors and assigns, to maintain the permanent stormwater control measures depicted in the Plans (as same may be amended), which are attached as Exhibit A of this Agreement.
2. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted on the Plans as necessary to ensure optimum performance of the measures to design specifications. If identified on the plans, the stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices, and retention ponds (collectively, the "Control Measures").
3. The Facility Owner shall be responsible for all expenses related to the maintenance of the Control Measures.
4. The Facility Owner shall provide for the periodic inspection of the Control Measures, not less than once in every five year period, to determine the condition and integrity of the Control Measures. The Facility Owner's obligations to inspect the Control Measures under this Section 4 shall commence upon the issuance of the first certificate of occupancy for the project depicted on the Plans. Each inspection shall be performed by a Professional Engineer, at the Facility Owner's choosing, so long as such Professional Engineer is licensed by the State of New York (the "Inspecting Engineer"). The Inspecting Engineer shall prepare and submit to the Municipality within 30 days of each inspection, a written report of the findings of his/her inspection including any recommendations necessary for the continued maintenance or repair of the Control Measures.

Property Address: 2121 State Route 332, Canandaigua NY 14424
TM#: 56.00-1-57.000

5. The Facility Owner shall grant Right of Entry to duly authorized representatives of the Town. Upon presentation of proper credentials, duly authorized representatives of the Town may enter at reasonable times upon the premises to inspect the implementation, condition or operation and maintenance of the Control Measures. Facility Owner shall allow persons working on behalf of the Town ready access to all parts of the premises for the purposes of inspecting the Control Measures. Persons working on behalf of the Town shall have the right to temporarily locate, on any stormwater facility or Control Measure in the Town, such devices as are necessary to conduct monitoring and/or sampling of the discharges from such Control Measures.

6. Except in an emergency situation, or as permitted by Section 7 below, The Facility Owner shall not authorize, undertake, or permit any material alteration, abandonment, modification, or discontinuation of the Control Measures except in accordance with written approval of the Municipality.

7. The Facility Owner shall undertake all necessary repairs, maintenance, or replacement of the Control Measures in accordance with the recommendations of the Inspecting Engineer, except to the extent such repairs, maintenance, or replacement are made necessary by the acts or omissions of the Municipality, including without limitation offsite grading. Such repair, maintenance, or replacement shall not require the approval of the Municipality. Repairs, maintenance, or replacements made necessary by the acts or omissions of the Municipality shall be undertaken by the Municipality as its cost and expense.

8. This Agreement shall be recorded in the Office of the County Clerk, County of Ontario.

9. If ever the Municipality determines that the Facility Owner has failed to maintain, clean, repair, replace, and continue the Control Measures in accordance with the Plans or has failed to undertake necessary corrective action in accordance with Section 7 above, the Municipality shall give the Facility Owner written notice of such a default. In the event the Facility Owner fails to cure such default within thirty (30) days from its receipt of such notice, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation, or maintenance of the Control Measures, to charge the Facility Owner for the reasonable expenses of such steps, and to affix such expenses as a lien against the property (including reasonable attorney fees and other administrative costs incurred in executing such a lien); provided however that if the nature of the default is such that it cannot reasonably be cured within such thirty (30) day period, then so long as the Facility Owner commences to cure such default within such thirty (30) day period, and, thereafter, diligently, in good faith and expeditiously proceeds to cure such default before the Municipality may take action under this Section 9.

10. The parties agree and acknowledge that this Agreement shall cover not only the Control Measures set forth on the Plans, but it also shall cover any alterations or modifications to the Plans that may be approved by the Municipality after the execution of this Agreement.

11. This Agreement shall be binding upon, and inure to the benefit of, the respective successors and permitted assigns of the parties. This Agreement shall not be assignable by the Municipality but may be assigned or transferred by the Facility Owner.

12. All notices required or permitted hereunder shall be in writing and shall be sent to the parties at the following addresses:

If to the Municipality: Stormwater Program Manager
Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, New York 14424

If to the Facility Owner: xxxx
xxxx
xxxx
xxxx

With copies to: xxxx
xxxx
xxxx
xxxx

Any such notices may be sent by: (a) certified mail, return receipt requested, or
(b) a nationally recognized overnight courier

The above addresses may be changed by written notice to the other party. Any such notices shall be deemed effective upon receipts.

13. This agreement sets forth all of the agreements, conditions, and understandings between the Municipality and the Facility Owner concerning the maintenance of the Control Measures and supersedes any and all prior agreements and understandings between the parties with respect thereto.

14. This Agreement shall be governed exclusively by the laws of the State of New York, without giving effect to choice of laws or choice of laws rules or principles.

15. Issuance of the first certificate of occupancy or certificate of compliance for the project depicted on the Plans shall be deemed an acknowledgement by the Municipality that the Control Measures have been constructed in accordance with the Plans.

16. This Agreement may be executed in several counterparts, including by facsimile, each of which shall be an original and all of which shall constitute but one and the same instrument.

17. This Agreement may not be amended, changed, modified, altered, or terminated, except by an instrument in writing, signed by the parties hereto.

18. This Agreement is effective upon full execution by both parties.


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The parties have entered into this Agreement on this _____ day of _____, 2022.

MUNICIPALITY
TOWN OF CANANDAIGUA, NY

By:
Title:
Date:

FACILITY OWNER
FRONTENAC HOLDING, LLC



By: Bernard DeGraw
Title: Managing member
Date: 11-28-22

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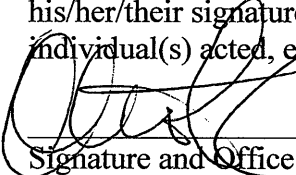
State of New York)
County of Ontario) ss.:

On the ____ day of _____ in the year ____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual taking acknowledgment

State of New York)
County of Ontario) ss.:

On the 28 day of November in the year 2022 before me, the undersigned, personally appeared Bernard Degrauw, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Signature and Office of individual taking acknowledgment

CHRISTIE ANN SCHWAB
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SC6411018
Qualified in Cayuga County
My Commission Expires November 9, 2024

